



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Transfer of Land Site of former N'dee Autobody and War Pony Shop to N'dee Management, LLC)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation ("Reservation") provides, at Article IV, Section 1(b) that the Tribal Council ("Council") shall exercise the power "[t]o negotiate, make and perform contracts and agreements of every description...with any person, association, or corporation...", at Article IV, Section 1(h), the power "[t]o regulate the uses and disposition of Tribal property", and at Article IV, Section 1(m), the power "[t]o provide by ordinance for the assignment, use, or transfer of Tribal lands within the Reservation"; and
- WHEREAS,** The former N'dee Autobody and War Pony Shop, located at 606 Chief Avenue North, Whiteriver, Arizona, 85941, has been closed for some time; and
- WHEREAS,** The Council is informed this day that the land site is available of where the former N'dee Auto Shop is located, and that the Autobody Shop building and site is vacant; and
- WHEREAS,** Larry Tolino, an enrolled WMAT tribal member and owner of N'dee Management, LLC, has expressed his interest in the land site of where the former N'dee Autobody shop is located, and would like to demolish the Autobody Shop to construct a new building to be used for economic development purposes; and
- WHEREAS,** For the past three years, Mr. Tolino has successfully operated N'dee Homecare, LLC as a business providing non-emergency medical services to tribal members; and
- WHEREAS,** Within the past year, Mr. Tolino, through N'dee Management, LLC, restored the gas stations and convenience stores in Canyon Day and Carrizo within the Reservation, and is successfully operating both stores; and
- WHEREAS,** Mr. Tolino is requesting the Council to transfer the land site of where the N'dee Autobody Shop is located at 606 Chief Avenue North, Whiteriver, Arizona, 85941, to N'dee Management, LLC and to enter a business site lease agreement; and
- WHEREAS,** Mr. Tolino further requests that the Council transfer the N'dee Autobody Shop building to N'dee Management, LLC so that N'dee Management can demolish the building and construct a new building for economic development purposes; and
- WHEREAS,** The Council finds that approving the transfer of said building to N'dee Management, LLC would promote economic development in the Whiteriver community, and therefore would be in the best interests of the Tribe and its members.

Resolution No. 02-2025-25

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the land site located at 606 Chief Avenue North, Whiteriver, Arizona, 85941 (legal land description attached and incorporated by reference) of where the former N'dee Autobody Shop is located is hereby transferred and assigned to N'dee Management, LLC.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Attorney General is hereby authorized to negotiate and enter into a Business Site Land Lease for said site with N'dee Management, LLC in accordance with the Tribe's Land Code and any other applicable laws and regulations that apply on the Reservation.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that, upon execution of a Business Site Land Lease agreement, N'dee Management, LLC is further hereby authorized to demolish the building and is authorized to construct a new building, in accordance with all applicable laws and regulations, for economic development purposes.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the former N'dee Autobody Shop building, including all property located at the business land lease site is hereby transferred to N'dee Management, LLC upon payment of \$3500.00 to the Revolving Credit Program to satisfy the Program's interests in the property emanating from a defaulted loan by the now defunct War Pony Shop.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **FEBRUARY 05, 2025** duly adopted by a vote of **NINE** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section, 1 of the WMAT Constitution, so ratified on November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez
Kasey Velasquez, Chairman

2-7-25
Date

Vaneysa Johnson
Vaneysa Johnson, Tribal Secretary

02/07/2025
Date