

Pyramid Lake Paiute Tribal Council

Post Office Box 256

Nixon, Nevada 89424

Telephone: (775) 574-1000 / 574-1001 / 574-1002

FAX (775) 574-1008

RESOLUTION NO.: PL 63-18

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs; and

WHEREAS, the Pyramid Lake Paiute Tribe, pursuant to Article VI, Powers and Duties of the Tribal Council, of the Constitution and By-laws of the Pyramid Lake Paiute Tribe, authorizes the Pyramid Lake Paiute Tribal Council to act on behalf of the Pyramid Lake Paiute Tribe; and

WHEREAS: the Tribal Council, as the governing body of the Tribe, pursuant to the Tribe's Constitution and By-Laws, seeks to provide safe and affordable housing opportunities for its Tribal Members; and

WHEREAS: through Resolution No.: PL 55-17 adopted on May 5, 2017, the Tribal Council approved the Tribe's participation in the Section 184 Loan Guarantee Program through the HUD Office of Native American Programs. The Program is intended to assist the Tribe in providing safe and affordable housing opportunities for Tribal Members by making available loans from private lenders for the purpose of rehabilitate, refinancing or financing real property; and

WHEREAS: participation in the Program requires a legal and administrative framework sufficient to protect the interests of the Tribe, borrower, lender and the federal agency that will guarantee or insure the mortgage loan; and

WHEREAS: through Resolution No.: PL 56-17 adopted on May 5, 2017, the Tribal Council approved a "Mortgage Lending Ordinance" and "Residential Lease of Tribal Owned Land" based on standard forms provided by HUD's 184 Program to implement the 184 Program; and

WHEREAS: despite HUD's prior use of the form ordinance approved by the Tribal Council, HUD refused to approve the Tribe's ordinance unless certain revisions were made addressing Federal Court jurisdiction for cases where HUD is a party; and

WHEREAS: the Tribe has revised its Mortgage Lending Ordinance based on HUD's new requirements;

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Pyramid Lake Paiute Tribe hereby finds that the Mortgage Lending Ordinance attached hereto provides for the creation of rules and procedures necessary for the Tribe's participation in the Section 184 Loan Guarantee Program and finds that enactment of the Mortgage Lending Ordinance is in the best interests of the Tribe because it facilitates the investment of capital for housing on and off the reservation; and

BE IT FURTHER RESOLVED, that the Tribal Council hereby adopts and enacts the attached Mortgage Lending Ordinance as Tribal law, which shall supersede and replace the version of the ordinance adopted by the Tribal Council on May 5, 2017 through Resolution No.: PL 56-17; and

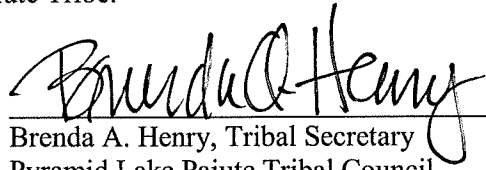
BE IT FURTHER RESOLVED, that the Tribal Council shall have the authority to exercise the option of the right of first refusal addressed in the Mortgage Lending Ordinance; and

BE IT FURTHER RESOLVED, the Residential Lease of Tribal Owned Land attached hereto and previously adopted by the Tribal Council shall still be effective and is not revised by this resolution;

BE IT FINALLY RESOLVED, that the Tribal Secretary shall assume the duties of the Tribal Recording Clerk as set out in the Mortgage Lending Ordinances until such time that the Tribe creates an official Tribal Recording Clerk position.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom eight (8) constituting a quorum were present at a meeting duly held on the 17th day of May, 2018 was adopted by the affirmative vote of seven (7) FOR and zero (0) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.


Brenda A. Henry, Tribal Secretary
Pyramid Lake Paiute Tribal Council