

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 64-18

(amended)

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

WHEREAS, the Pyramid Lake Paiute Tribe ("Tribe") is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 USC § 467) and is Federally recognized by the United States Government through the Secretary of the Interior and Bureau of Indian Affairs; and,

WHEREAS, pursuant to the Constitution and By-laws of the Pyramid Lake Paiute Tribe, the Pyramid Lake Paiute Tribal Council ("Tribal Council"), the governing body of the Tribe, is granted the authority to enter into lease agreements with individual and entities; and,

WHEREAS, the Tribal Council previously determined that the Pyramid Lake Paiute Tribal Reservation required cellular service on the Reservation and accordingly entered into a Lease (the Lease) with Sacramento-Valley Limited Partnership d/b/a Verizon Wireless ("Verizon") pursuant to which a cellular tower was constructed to provide such services; and

WHEREAS, the tower remains in place to provide said services and the Tribal Council finds that it is in the best interests of the Tribe to grant an option to extend the Lease for three, five-year terms beyond the term of the existing Lease; and

WHEREAS, Verizon has expressed an interest in extending the term of the existing Lease under terms for the extended term, which the Tribal Council believes furthers the Tribe's best interests; and

WHEREAS, Verizon has expressed a willingness to pay the Tribe a significant capital contribution as an incentive for permitting Verizon to extend the Lease and Verizon is also willing to agree to a significant step up in the annual rent payment commencing upon the extended term of the Lease, in addition to an annual 3% cost of living adjustment (COLA) in rent; and

WHEREAS, these covenants, terms and conditions are contained in the First Amendment to the Lease, attached hereto, which the Tribal Council has reviewed through its Realty Department, who recommends execution of the aforementioned First Amendment to the Lease; and

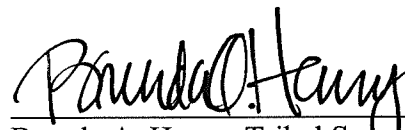
WHEREAS, the Tribal Council concurs in the recommendation of the Realty Department that the First Amendment to the Lease contains adequate consideration, including the rent, which is fair and in the best interests of the Tribe,

NOW, THEREFORE, BE IT RESOLVED THAT the Pyramid Lake Paiute Tribal Council hereby approves the attached First Amendment to Lease 651 PLTB000238 with Verizon and American Tower, Verizon's agent, and hereby authorizes the Tribal Chairperson to execute on behalf of the Tribe any documents necessary to implement this Resolution; and

BE IT FINALLY RESOLVED that the Tribal Council Requests that the Bureau of Indian Affairs approve the said First Amendment to Lease 651 PLTB000238 as quickly as possible.

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 **five (5)** for and **one (1)** against, with **one (1)** 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