

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

20<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2006

AN ACTION

RELATING TO SOVEREIGN IMMUNITY; ECONOMIC DEVELOPMENT;  
APPROVING EDUCATION; APPROVING A LIMITED WAIVER OF  
SOVEREIGN IMMUNITY FOR THE NAVAJO AGRICULTURAL PRODUCTS  
INDUSTRY (NAPI), TO ALLOW LENDERS TO REPOSSESS EQUIPMENT AND  
TO OBTAIN DAMAGES FROM NAPI TO THE EXTENT OF THE AMOUNT  
FINANCED IN THE EVENT OF DEFAULT UNDER AGREEMENTS FOR THE  
FINANCING OF EQUIPMENT AND VEHICLES; AMENDING THE NAPI PLAN  
OF OPERATON AT ARTICLE 7, NEW SUBSECTION Z

BE IT ENACTED:

The Navajo Nation Council hereby approves a limited waiver of sovereign immunity within the Navajo Agricultural Products Industry (NAPI) Plan of Operation to allow lenders to repossess equipment and to obtain damages from NAPI to the extent of the amount financed in the event of default under agreements for the financing of equipment and vehicles, as set forth below:

Article 7. Board of Directors Powers and Duties

Z. Limited Waiver of NAPI's Sovereign Immunity for Certain Agreements, Notwithstanding anything herein or in Navajo law to the contrary, to enter into contracts for the purchase of equipment and/or vehicles without the inclusion of the provision that would be otherwise required by Article 7 (R), above, which contracts may provide for a limited waiver of NAPI's sovereign immunity to the extent necessary to permit the repossession of such equipment and/or vehicles and permit lenders to recover damages from NAPI to the extent of the amount financed through judicial action in the courts of the Navajo Nation or through compulsory

