

**RESOLUTION OF THE GOVERNING BODY OF  
THE THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD RESERVATION**

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** The Tribal Business Council has chartered an independent, Tribally owned business entitled Fort Berthold Development Corporation (FBDC), whose primary business is building construction and modification; and
- WHEREAS,** FBDC has bid successfully on more than \$1 million in construction contracts on or near the Fort Berthold Reservation, and now employs generally more than 30 persons, almost all of whom are Tribal members, and is expected to provide profits back to the Three Affiliated Tribes for its efforts as these projects are completed; and
- WHEREAS,** From time to time in the course of doing business, FBDC finds it necessary to borrow funds from various sources to purchase or lease various items needed for its continued operations or for a particular project, including equipment, vehicles and tools, concrete forms or additional materials which are needed to complete a project for which FBDC has been awarded the contract; and
- WHEREAS,** Typically, because FBDC does not have an established credit history, lenders require that FBDC obtain a general guarantee by the Tribe, with a corresponding limited waiver of sovereign immunity, of such funds as FBDC needs to borrow; and
- WHEREAS,** FBDC will generally have sufficient collateral to secure each and every loan or credit line it may wish to obtain, apart from any Tribal guarantee of such borrowed funds; and
- WHEREAS,** The Tribal Business Council has passed Resolution No. 00-201-DSB which authorizes a Tribal guarantee for line of credit for the benefit of Fort Berthold Development Corporation in an amount up to \$1 million; and
- WHEREAS,** To obtain and secure a line of credit, the Tribe may have to pledge certain of its assets as collateral on the line of credit;

**NOW, THEREFORE, BE IT RESOLVED**, that for the benefit of the Fort Berthold Development Corporation, and to obtain and secure a line of credit for Fort Berthold Development Corporation, the Tribal Business Council hereby agrees to provide collateral, in such form and in such amount, up to \$1 million in value, as the creditor or lender may require, so long as all other conditions of Resolution No. 00-201-DSB are followed, and so long as the Tribe has made all reasonable efforts to minimize the value of the collateral that is necessary to obtain the line of credit; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Tribal Chairman or the Tribal Treasurer are hereby authorized to execute any and all such documents as may be necessary to provide the necessary collateral to obtain the line of credit mentioned herein on behalf of the Fort Berthold Development Corporation.

### CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 13<sup>th</sup> day of July, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 2 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 13<sup>th</sup> day of July, 2000.

Daylon Spotted Bear  
Secretary, Tribal Business Council

ATTEST:

[Signature]  
Chairman, Tribal Business Council