



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

A Resolution entitled, "RDO Equipment Purchase - 1995 John Deere 772BH Motor Grader"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, The Three Affiliated Tribes Road Department has informed the tribal Business Council of its desire to purchase the *(1995 John Deere 772BH Motor Grader W/Wing SN# DW722BH554754. together w/All Accessories thereof; Substitution therefore, Replacement and Products thereof,)* which the Road Department has been renting from RDO Equipment Co., on a monthly basis for the past 19 months @ \$4,500.00 per month, with the monthly payments made to date being credited to the purchase price of said equipment; and

WHEREAS, RDO Equipment has obtained financing for the three Affiliated Tribes from Mid West Leasing; and

WHEREAS, The Three Affiliated Tribes, as Lessee, is a sovereign, governmental Nation of the Mandan, Hidatsa & Arikara Tribes and, as such, has a judicial system and has adopted a Code of Laws pertaining to the present governmental Lease Agreement; including possessing such inherent sovereign attributes as immunity from suit; and

WHEREAS, The Code of Laws of the Three Affiliated Tribes shall govern the interpretation and enforcement of the terms and conditions of the Lease Purchase Agreement between Lessor and Lessee. (A true and correct photo static copy of the governmental Lease Purchase Agreement is attached and incorporated herein identified as (Lease #M-S208) and;

WHEREAS, The Lessor and Lessee agree that the interpretation and enforcement of the Governmental Lease Purchase Agreement, identified in the preceding paragraph, shall be subject to the jurisdiction of the Fort Berthold District Court;

WHEREAS, The Tribal Business Council of the Three Affiliated Tribes authorizes the Road Department to purchase a *1995 John Deere 772BH Motor Grader W/Wing SN# DW722BH554754.* RDO Equipment Co., and



NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Three Affiliated Tribal Business Council is hereby authorized and directed to execute the Lease Purchase agreement with Midwest Leasing, Inc., in addition to all other documents relating to this transaction, on behalf of the Three Affiliated Tribes.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12th day of December, 2002, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. [] Not Voting.

Dated this 12th day of December, 2002.

ATTEST:

Executive Secretary, Randy Phelan
Tribal Business Council

Chairman, Tex G. Hall
Tribal Business Council