



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

*A Resolution entitled, " Rainbow Subdivision Annexation "*

**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 is the fee owner of real property more commonly known as the Rainbow Subdivision which is adjacent to and contiguous to the municipality of the City of New Town, North Dakota; and

**WHEREAS,** All residents of the Rainbow Subdivision are members of the Three Affiliated Tribes and it serves the best interest of all members of the Three Affiliated Tribes that the Rainbow Subdivision be annexed to the City of New Town, North Dakota, and in accordance with federally recognized laws tribal members are not subject to municipal taxes; and

**NOW THEREFORE BE IT RESOLVED,** that the Chairman of the Tribal Business Council along with the Secretary of the Tribal Business Council be hereby authorized to execute a Petition to Annex the Rainbow Subdivision on behalf of the Three Affiliated Tribes, subject to consent of the City of New Town to waive municipal taxes on the members of the Three Affiliated Tribes residing within the proposed annexed properties, unless authorized specifically by further Tribal Business Council resolution.

PETITION TO ANNEX

Rainbow Drive Subdivision

WHEREAS by Resolution of the Three Affiliated Tribes, Tribal Business Council; Resolution # 02-161, dated 8-14-02; and in accordance with the North Dakota Century Code section 40-51.2-03. **Annexation by petition of owners and electors**, which states: "Upon a written petition signed by not less than three-fourths of the qualified electors or by the owners of not less than three-fourths in assessed value of the property in any territory contiguous or adjacent to any incorporated municipality and not embraced within the limits thereof, the governing body of the municipality, by ordinance, may annex such territory to the municipality," and

WHEREAS the Three Affiliated Tribes is the owner in one-hundred percent interest in land contiguous and adjacent to the incorporated municipality of the city of New Town, North Dakota more particularly described as:

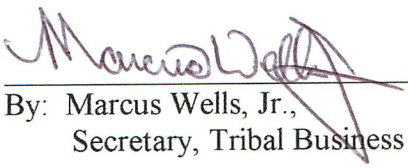
Commencing at the Northwest corner of the Southeast Quarter (SE/4) of Section Seventeen (17), Township One Hundred Fifty-two (152) North, Range Ninety-two (92) West, fifth principal meridian, Mountrail County, North Dakota, proceed due East along the quarter section line a distance of 560 feet to the point of beginning; thence South along the East line of Second Avenue East of Highland Village Addition to the City of New Town, a distance of 534.1 feet to the North boundary line of Fourth Street North; thence East along the North line of Fourth Street North a distance of 445 feet; thence North a distance of 534.9 feet more or less to the quarter section line; thence West along the quarter section to the point of beginning, containing five and one half acres, more or less. (More commonly known as the Rainbow Drive subdivision.)

WHEREAS the undersigned being owners in interest in land described above hereby petition the City of New Town to annex the above described lands into the incorporated municipality.

Dated this 14 day of August 2002.

THREE AFFILIATED TRIBES

  
By: Tex G. Hall  
Chairman, Tribal Business Council

  
By: Marcus Wells, Jr.,  
Secretary, Tribal Business Council



**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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14 day of August, 2002, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman  Voting. [ ] Not Voting.

Dated this 14 day of August, 2002.

Marcus Wells, Jr.  
Executive Secretary, Marcus Wells, Jr.  
Tribal Business Council

ATTEST:

Tex G. Hall  
Chairman, Tex G. Hall  
Tribal Business Council