



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

A Resolution entitled, " TBCH, Tribal Guarantee "

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, 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, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer the funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes; and

WHEREAS, Twin Buttes Custom Homes, a tribally owned corporation, being in existence since June of 2001 and in the course of doing business, Twin Buttes Custom Homes has found it necessary to seek financing to continue operations and complete projects; and

WHEREAS, Typically, because TBCH does not have an established credit history, lenders require that TBCH obtain a general guarantee by the Tribe, with a corresponding limited waiver of sovereign immunity, of such as TBCH needs to borrow; and

WHEREAS, TBCH has applied for financing with the Native American Bank for a term loan in the amount of \$675,000.00 and a line of credit in the amount of \$500,000.00 to pay off an existing line of credit with Community First Bank; and

WHEREAS, The Native American Bank has requested a Tribal guarantee from Twin Buttes Custom Homes and an itemization of collateral to be used to secure the proposed financing to proceed with the review of the loan package;



NOW, THEREFORE, BE IT RESOLVED, that for the benefit of Twin Buttes Custom Homes, the Tribal Business Council of the Three Affiliated Tribes hereby agrees to provide a Tribal guarantee for TBCH to obtain a term loan of \$675,000.00 and a line of credit of \$500,000.00 from the Native American Bank, along with the necessary limited waiver of sovereign immunity, limited to the amount of the term loan and line of credit and limitation of jurisdiction of disputes under such guaranty to Tribal court, subject to the following: that for each transaction up to the amounts specified: 1.) TBCH obtains, in writing, the approval of the Chairman and Treasurer of the Tribe; 2.) TBCH reviews the loan documents with the Tribal legal counsel and abides by such legal recommendations as may be made; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby agrees to provide for collateral on this financing two (2) Certificates of Deposit, namely CD#6420054819 and CD#6420054818, along with the building and equipment of Twin Buttes Custom Homes; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Tribal Chairman and the Tribal Treasurer are hereby authorized to execute any and all such documents as may be necessary to obtain the term loan and line of credit on behalf of Twin Buttes Custom Homes.

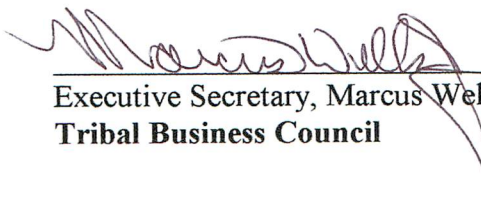
CERTIFICATION

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

Chairman [] Voting. [] Not Voting.

Dated this _____ day of _____, 2002.

ATTEST:


Executive Secretary, Marcus Wells, Jr.
Tribal Business Council

Chairman, Tex G. Hall
Tribal Business Council