



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

A Resolution entitled "Approval of Agreement to Indemnify the City of New Town Arising Out of the Easements Granted By Northrop Grumman Systems Corporation and The City of New Town, North Dakota and Related to the Construction of A Sewer Main and Water Main Necessary for the New Detention Facility."

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 and Bylaws authorizes and empowers the Mandan, Hidatsa and Arikara Tribal Business Council to engage in activity on behalf of and in the best interest and welfare of the Tribes and the enrolled members thereof; and

WHEREAS, The City of New Town, North Dakota is prepared to execute a Public Utility Easement Agreement with Northrop Grumman Systems Corporation for the construction, maintenance and operation of a Sewer Main and Water Main for connection to the Tribe's new Detention Facility; and

WHEREAS, The City of New Town has requested that the Tribe be responsible for the costs and indemnify the City for any costs incurred in the construction, maintenance and operation of said lines; and

WHEREAS, The Tribal Council is ready and willing to indemnify the City and be responsible for the costs associated with the removal and treatment of any contaminated groundwater exposed in connection with the installation of said lines.

NOW, THEREFORE BE IT RESOLVED, the Tribal Business Council of the Three Affiliated Tribes hereby agrees to be responsible for the costs associated with the removal and treatment of any contaminated groundwater exposed in connection with the installation of said lines.

BE IT FINALLY RESOLVED, that the Tribal Chairman is authorized to execute an agreement with the City of New Town consistent with this resolution subject to legal review and approval by the Tribe's legal department.

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, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11th day of September 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 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 11th day of September 2003.

Randy Phelan
Executive Secretary, Randy Phelan
Tribal Business Council

ATTEST.

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