



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

*A Resolution entitled, "Authorizes the Cashing of the \$253,000.00 Certificate of Deposit at Community First National Bank to pay off FBDC's Note."*

- 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 (the "Tribe") 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 Tribe and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution of the Tribe specifically authorizes and empowers the Tribal Business Council of the Tribe to administer the funds within the exclusive control of the Tribe and to make expenditures from available tribal funds for public purposes of the Tribe; and
- WHEREAS,** the Fort Berthold Development Corporation has an outstanding loan from Community First National Bank in the amount \$250,000 plus accrued interest which is secured by a certificate of deposit valued at approximately \$ 253,000.00 and the assets of FBCD and a guarantee by the Tribe; and
- WHEREAS,** the \$253,000.00 certificate of deposit was purchased by the Fort Berthold Development Corporation and put in the Tribe's name; and
- WHEREAS,** Community First National Bank desires to know whether FBDC desires to extend the matured note or pay it off; and
- WHEREAS,** FBDC desires to pay the note off by using the \$253,000.00 certificate of deposit in order to release its assets as collateral so it can be used in future loans; and
- WHEREAS,** a formal Tribal resolution authorizing the cashing of the \$253,000.00 certificate of deposit is needed in order to cash the certificate of deposit and pay said note; and
- WHEREAS,** the Tribal Business Council desires to authorize the cashing of the \$253,000.00 certificate of deposit and use the proceeds to pay off FBDC's note to the bank



and have remainder, if any, be paid to FBDC provided FBDC pay back the Tribe \$126,5000 by or on September 30, 2004.

**NOW, THEREFORE BE IT RESOLVED**, that the Tribal Business Council hereby authorizes the cashing of the \$253,000.00 certificate of deposit to pay off FBDC's note and to have the remaining proceeds, if any, paid to FBCD on the condition that FBCD execute a note to the Tribe wherein FBDC promises to pay back to the Tribe \$126500 by no later than September 30, 2004.

**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 Regular Meeting thereof duly called, noticed, convened and held on the 8 day of April, 2004, 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 8 day of April, 2004.

  
Executive Secretary, Randy Phelan  
Tribal Business Council

**ATTEST:**

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Chairman, Tex G. Hall  
Tribal Business Council