



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

A Resolution Entitled: "Amendment of Resolution NH05-82 Providing Authorization for Three Affiliated Tribes to Guarantee a Loan for Delvin Foote in the Amount of \$100,000 from the Native American Bank and Authorizing a Limited Waiver of Sovereign Immunity for Purposes of the Guarantee".

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

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

WHEREAS, Pursuant to such powers, the Tribal Business Council passed Resolution NH05-82 whereby the Tribal Business Council authorized the Tribe to guarantee a loan in the amount of \$62,000 for Delvin Foote to the Native American Bank; and

WHEREAS, The Native American Bank is requesting that the Tribal Business Council grant a limited waiver of sovereign immunity for the purpose of said guarantee and Mr. Foote is now requesting a loan from Native American Bank in the amount of \$100,000; and

WHEREAS, In order for Mr. Foote to obtain financing from Native American Bank, it is necessary for the Tribal Business Council to amend Resolution NH 05-82 by



authorizing a guarantee in the amount \$100,000 and by further authorizing a limited waiver of sovereign immunity for purposes of the loan guarantee.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby amends Resolution NH 05-82 by authorizing and agreeing to guarantee a loan in the amount of \$100,000 to Delvin Foote from the Native American Bank; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes a limited waiver of the Tribes sovereign immunity for the purposes of said loan guarantee and only up to the amount of such loan guarantee; and

BE IT FINALLY RESOLVED, that the Tribal Business Council hereby authorizes Tribal Chairman Tex G. Hall and Tribal Secretary Nathan Hale to sign and execute all documents necessary to effectuate said loan guarantee.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 09th day of March 2006; 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 9th day of March 2006.

Handwritten signature of Nathan Hale in black ink.

Secretary, Nathan Hale
Tribal Business Council

ATTEST:

Handwritten signature of Tex G. Hall in black ink.

Chairman, Tex G. Hall
Tribal Business Council