



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

A Resolution entitled, "Authorization to issue Recreational Lease to James and Donita Hale d/b/a Hale Marina for Tribally Owned Lands and Authorization to Request a Recreational Lease From the U. S. Army Corps of Engineers (COE) for Corps Lands."

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 under said Act; and

WHEREAS, pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, the Tribal Business Council has authority according to the terms of the said Constitution to issue leases to individuals, groups or businesses for economic development; and

WHEREAS, James and Donita Hale desire to establish a business to be known as Hale Marina on certain tribally owned lands; and

WHEREAS, James and Donita Hale desire to request through the Tribal Business Council of the Three Affiliated Tribes a Recreational Lease from the Corps of Engineers (COE) on certain Corps lands; and

NOW THEREFORE BE IT RESOLVED by the Tribal Business Council of the Three Affiliated Tribes that a Recreational Lease be granted to James and Donita Hale d/b/a Hale Marina on land described as follows:

Township 148, Range 91 N½, NE ¼ of Sec 8.

BE IT FURTHER RESOLVED that the Tribal Business Council formally requests a Recreational Lease from COE for lands described as and which is delineated on the attached site map; these lands will then be used by Hale Marina under a Third Party Agreement with the Three Affiliated Tribes; and

BE IT FURTHER RESOLVED that the NRD Administrator and Tribal Realty complete the following as requested by COE:

1. Provide completed ENG Form 4345 (Section 10/404 application) for a boat ramp, parking lot and access road;

2. Assist the Hale's in completing the "Application for Department of the Army Permit" ENG form 4345 for the marina and riprap work with an overall project map and to scale design drawings for the marina
3. Provide a Third Party Agreement to the Hale Marina for operation of the proposed development after the Recreational Lease is issued by COE.

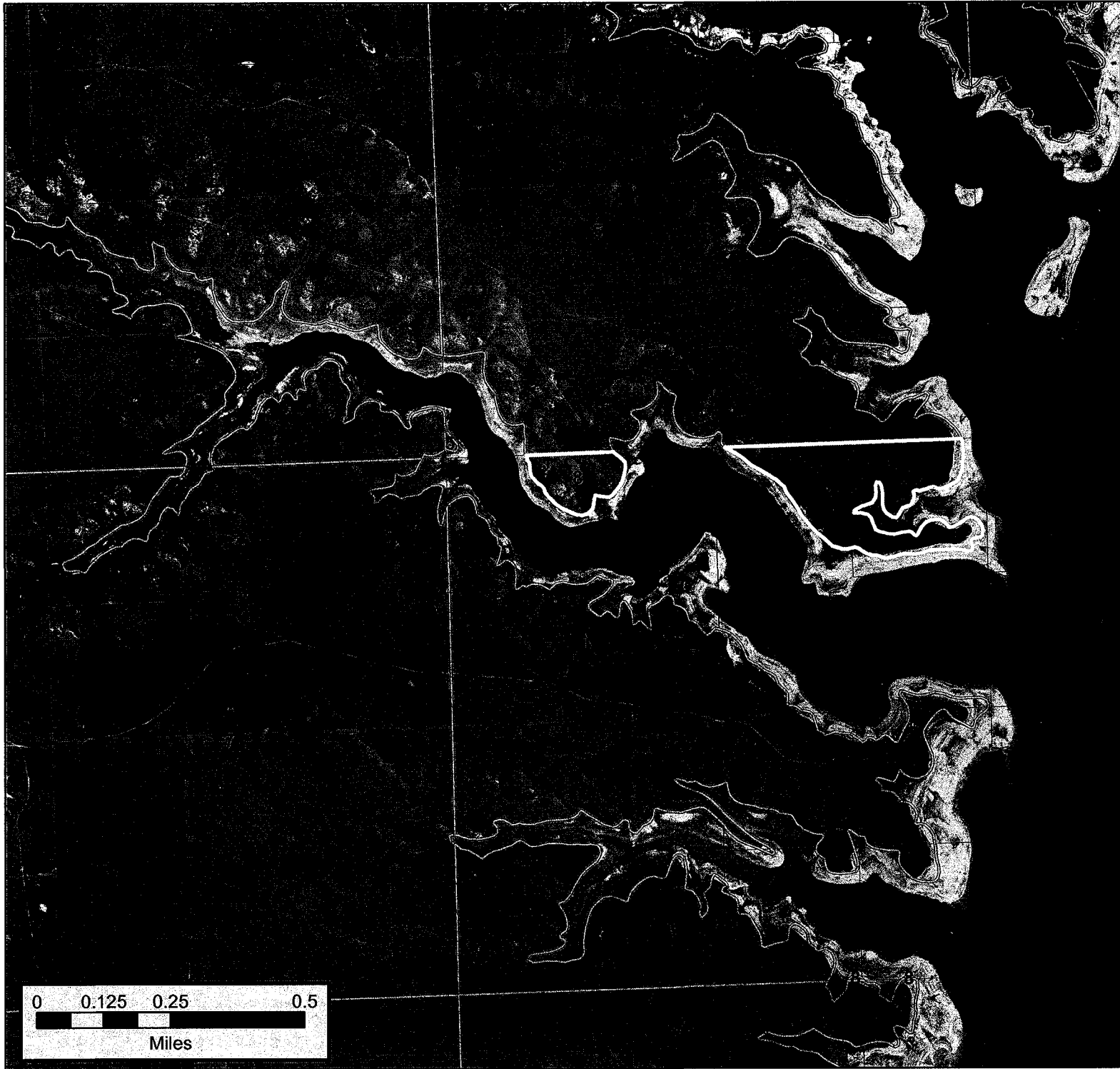
BE IT FURTHER RESOLVED that Hale Marina will complete and provide the following information to NRD Administrator and/or Tribal Realty:

1. Provide an Environmental Assessment (EA) completed by an approved COE contractor which addresses all cultural, environmental and regulatory Concerns and compliance for the proposed Hale Marina;
2. Provide a market study to determine public demand for the proposed marina;
3. Provide a feasibility study to determine economic viability;
4. Provide detailed construction information on the boat ramp parking lot; provide size of the ramp, proposed top and bottom elevations, and construction methodology (poured slab, pour and push, concrete planks, etc); provide the construction methodology proposed for the parking area and access road including size of the parking lot and road, amount of fill or excavated material and the borrow/spoil area;
5. Provide information to complete the "Application for Department of Army Permit" ENG Form 4345:
 - (a) Design for any planned concession area near the marina;
 - (b) Tank size and whether underground or above ground storage for any planned gasoline service including a Spill Prevention, Control and Countermeasure (SPCC) for any tanks greater than 1320 gallons and must conform to current regulations; tanks may have to be registered with the State of North Dakota;
 - (c) Detailed plans for boat slips if planned for present or future development.

BE IT FURTHER RESOLVED The Corps has stipulated and the Tribe agrees with the stipulations that only the boat ramp, parking lot, access road, courtesy dock, marina and perhaps the concession building will be allowed on Corps land; and

BE IT FUTHER RESOLVED by the tribe that primitive camp sites with shades and tables, tent sites with shades, restrooms, picnic shelters/shades, electricity, restaurant,

Township 148 N
Range 91 W
Section 8



Legend

- Sections
- Land Title Mapper

Ortho Imagery

RGB Composite

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Hale's Marina



volleyball court, horseshoe pits and cabin sites may be located on tribally owned land;
and

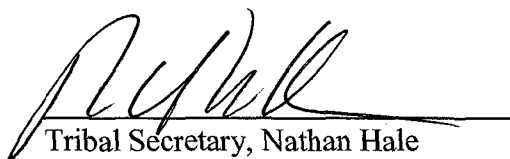
BE IT FINALLY RESOLVED that all plans, designs, correspondence, etc. pertaining to Hale Marina go through the NRD Administrator as requested by COE; And, that all lease documents, agreements, etc. that need tribal signatures shall be signed by the appropriate designated officials; and the Superintendent of the Bureau of Indian Affairs, Fort Berthold Agency, shall sign approving the Tribal Recreational Lease.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 11 of May, 2006; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

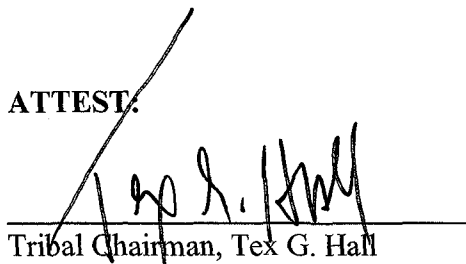
Chairman voting. [] not voting.

Dated this 11 day of May, 2006.



Tribal Secretary, Nathan Hale
Tribal Business Council
Three Affiliated Tribes

ATTEST.



Tribal Chairman, Tex G. Hall
Tribal Business Council
Three Affiliated Tribes