



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

A Resolution Entitled: *“Approval of Land Exchange Between the Three Affiliated Tribes and Phyllis Cross Pearson”*

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 IX, Section 6 of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business Council to acquire by exchange of tribal land any lands or interests in land for and on behalf of the Tribe, subject to the approval of the Secretary of the Interior; and

WHEREAS, The Water Reservoir located at Mandaree, North Dakota is located on the wrong Tract of land; it should have been located on Tract No. T750A but is located on A portion of Allotment No. 750A owned in its entirety by Phyllis Cross Pearson; And,

WHEREAS, Phyllis Cross Pearson, 301-U0403, a member of the Three Affiliated Tribes, has agreed to exchange an individual 1/1 interest containing 2.5 acres within Allotment #750A, which is legally described as SESWNWSW of Sec.12, T149N., R94W., 5th Principal Meridian containing 317.5 acres, in exchange for Tribal Allotment T750A-A, which is legally described as NWNWSWSW of Sec. 12, T149N., R94W., 5th Principal Meridian containing 2.5 acres total; and

WHEREAS, The estimated value of the 2.5 acres in Allotment #750A is \$750 and the estimated value of Tribal Allotment T750A-A is \$750; and

WHEREAS, The Tribal Business Council has determined that the proposed exchange meets the criteria of Article IX, Section 6 of the Constitution of the Three Affiliated Tribes and has further determined that it is in the best interest of the Tribes to effectuate this exchange.



RESOLUTION #08-113-MP

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes in accordance with the power vested in it by Article IX, Section 6 of the Constitution of the Three Affiliated Tribes hereby approves the exchange between Phyllis Cross Pearson and the Three Affiliated as follows:

PHYLLIS CROSS PEARSON, 301-U0403:

Allotment #750A: A portion of land described as SESWNWSW of Section 12, Township 149 North, Range 94 West, 5th P.M consisting of 2.5 acres within the allotment total of 317.5 acres, more or less; and grants right of egress and Ingress to reach this tract,

IN EXCHANGE FOR

THREE AFFILIATED TRIBES TRACT:

Allotment #T750A-A described as NWNWSWSW of Section 12, Township 149 North, Range 9 West, 5th P.M. containing 2.5 acres, more or less

BE IT FURTHER RESOLVED, that the Tribal Business Council authorizes the Chairman and Secretary to sign all documents necessary to effectuate this exchange; and

BE IT FINALLY RESOLVED, that in accordance with Article IX, Section 6 of the Constitution this transaction shall be subject to the approval of the Secretary of Interior or his authorized representative.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, ___ were present at a Regular Meeting thereof duly called, noticed, convened, and held on the ___ day of July 2008; 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 July 2008.

Mervin Packineau, Acting Secretary
Tribal Business Council

ATTEST:

Marcus Wells, Jr. Chairman
Tribal Business Council