



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

**A Resolution entitled: “Confirmation of Land Title Status for Tribal Gaming Facilities”**

**WHEREAS**, the Nation having accepted the Indian Reorganization Act of June 18, 1934 and adopted a Constitution and Bylaws under the pursuant to that 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;

**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 3 of the Constitution grants the Tribal Business Council all legislative authority necessary to exercise the jurisdiction granted by Article I of the Constitution; and

**WHEREAS**, The Indian Gaming Regulatory Act, 25 U.S.C. 2701 et seq. authorizes the operation of Class III gaming by federally recognized Indian tribes provided such gaming is conducted in accordance with a Gaming compact between the tribe and the State in which the Indian tribe is located and provided that gaming is authorized by a Tribal ordinance adopted by the governing body of the tribe having jurisdiction over the lands where the gaming will be conducted, which ordinance has been approved by the Chairman of the National Indian Gaming Commission; and

**WHEREAS**, The Nation operates Class III gaming on the Fort Berthold Reservation pursuant to a Federally approved Gaming Ordinance, Title 27 of the Code of Laws of the Three Affiliated Tribes, and a Compact with the State of North Dakota; and

**WHEREAS**, The Nation desires to ensure that the Class III gaming facilities are located on lands that are held by the United States of America in trust for the Three Affiliated Tribes; and

**WHEREAS**, The Nation, as the primary regulator of its gaming facilities, has determined that it is necessary confirm that is gaming facilities are located on lands held by the United States of America in trust for the Three Affiliated Tribes and, to that end, caused to be assembled and presented, appropriate title evidence to the relevant lands; and



**WHEREAS,** The Tribal Business Council has received and reviewed evidence of title to the lands on which the Nation's gaming facilities are located, which evidence is attached hereto as Exhibit 1, and finds the materials to be in order and to demonstrate that the Nation's gaming facilities are located on lands title to which is held by the United States of America in trust for the Three Affiliated Tribes.

**NOW THEREFORE BE IT RESOLVED,** that the Tribal Business Council hereby formally confirms and declares, without qualification or limitation, that title to the lands on which the Nation's gaming facilities are located is held by the United States of America in trust for the Three Affiliated Tribes.

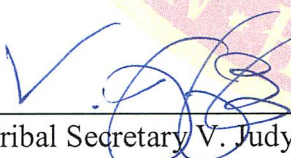
**CERTIFICATION**

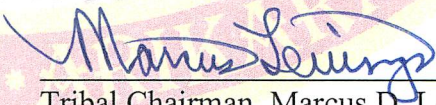
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10<sup>th</sup> day of July, 2009, 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 10<sup>th</sup> day of July, 2009.

**ATTEST:**

  
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Tribal Secretary V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

  
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Tribal Chairman, Marcus D. Levings  
Tribal Business Council  
Three Affiliated Tribes