



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

A Resolution Entitled: *“Transfer of Mineral Interests in “Breslin” property to the Ardis Breslin Estate and Kerry Breslin Baker as sole heir”*

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 interest in land for and on behalf of the Tribe, subject to the approval of the Secretary of the Interior; and

WHEREAS, The Tribal Business Council approved a land purchase exclusive of minerals of 32.36 acres more or less, Outlot 5 of S1/2NW1/4, SW1/4NE1/4, Section 17, T152N, R92W, Fifth Principal Meridian, North Dakota between the Three Affiliated Tribes and Ardis Breslin via Resolution No. 00-170-DSB (May 11, 2000); and

WHEREAS, Through clerical error, the resulting warranty deed obtained by the Tribe did not exclude the mineral interests and now requires modification; and

WHEREAS, By Gift Deed dated May 12, 2000, Ardis Breslin gifted the Three Affiliated Tribes 8.25 acres more or less in Outlot 4 of SW1/4NE1/4, Section 17, T152N, R92W, Fifth Principal Meridian, North Dakota; and

WHEREAS, The mineral interests in the Gift Deed was not reserved by Ardis Breslin but was understood by the parties that said mineral interests would remain with Breslin;

WHEREAS, The Tribal Business Council has determined that the two transactions between Ardis Breslin (deceased) and the Tribe intended to exclude the mineral interests and those mineral interests should remain with the Ardis Breslin estate and Kerry Breslin Baker as sole heir.



NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby directs the mineral interests in the two described tracts be gifted back to the Ardis Breslin Estate and Kerry Breslin Baker as sole heir:

Outlot 5 of S1/2NW1/4, SW1/4NE1/4, Section 17, T152N, R92W, Fifth Principal Meridian, North Dakota, containing 32.36 acres, more or less.

Outlot 4 of SW1/4NE1/4, Section 17, T152N, R92W, Fifth Principal Meridian, North Dakota, containing 8.25 acres, more or less.

BE IT FINALLY RESOLVED, the Three Affiliated Tribes directs the Natural Resource Department and the Legal Department to draft and execute the appropriate documents to transfer to the Ardis Breslin Estate and Kerry Breslin Baker as sole heir only *the mineral interests* held in the two aforementioned tracts.

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, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 23rd day of November 2009; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 0 members opposed, 1 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 23rd day of November 2009

Secretary, V. Judy Brugh
Tribal Business Council

ATTEST:

Chairman, Marcus D. Levings
Tribal Business Council