



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

A Resolution Entitled: *“Grant of Life Estate to Theodora Mary Hale Star in all trust real property interests from the Estate of Hazie C. Star when vested in the Three Affiliated Tribes.*

**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,** The Constitution and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15<sup>th</sup>, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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,** Article IV, Section 5(1) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation.

**WHEREAS,** Article VI, Section 5(c), of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business council to regulate the inheritance of real and personal property, other than allotted lands, within the territory of their jurisdiction; and

**WHEREAS,** Article VI, Section 5(i), of the Constitution of the Three Affiliated Tribes specifically authorizes the Tribal Business Council to manage the interests in Tribal Lands in conformity with Article IX of the Constitution; and

**WHEREAS,** Article IX, Section 2, of the Constitution of the Three Affiliated Tribes provides that the unallotted lands of the Fort Berthold Reservation and all lands which may be acquired by the Three Affiliated Tribes are to be held as Tribal Lands and shall not be mortgaged, sold, or ceded, except as permitted by law, and with the consent and approval of the Secretary of the Interior; and, said tribal lands may be assigned to members of the three Affiliated Tribes, or leased, or otherwise used by the Tribes; and



**WHEREAS,** The Tribal Business Council, had in conformity with 43 CFR §30.181, previously disclaimed the trust personalty in the Estate of Hazie C. Star, which said trust personalty was derived from the decedent's less than 5% trust real property interests pursuant to **Resolution 09-122 VJB (August 12, 2000)**; and

**WHEREAS,** The Department of the Interior – Office of Hearings and Appeals has issued a Decision In the Matter of the Estate of Hazie C. Star (Case No. P 0000 67227 IP) that the decedent's interests of less than 5% of trust real property shall pass to the Three Affiliated Tribes pursuant to the American Indian Probate Reform Act of 2004 despite the Tribe's Renunciation of Interest to those trust real property interests; and

**WHEREAS,** The Three Affiliated Tribes now takes the position that it would be in the best interests of all parties that the Tribe grant Theodora Mary Hale Star as the decedent's surviving spouse a Life Estate to include all income derived from the trust real property interests.

**NOW, THEREFORE BE IT RESOLVED,** that the Tribal Business Council grants Theodora Mary Hale Star a Life Estate to all income derived from the trust real property interests when those trust property interests formally vest in the Three Affiliated Tribes pursuant to the Decision in the Matter of the Estate of Hazie C. Star (No. P 0000 67227 IP) dated November 18, 2009; and

**BE IT FINALLY RESOLVED,** The Three Affiliated Tribes shall make available to Theodora Mary Hale Star all monies currently deposited into the late Hazie C. Star Individual Indian Monies Account.



**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 Special Meeting thereof duly called, noticed, convened, and held on the 22<sup>nd</sup> day of December 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 22<sup>nd</sup> day of December 2009

**ATTEST:**

Scott Eagle  
Acting Tribal Secretary, Scott Eagle  
Tribal Business Council  
Three Affiliated Tribes

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