



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

A Resolution Entitled: “Approval of the Purchase of Real Property from Jarret & Kerry Baker”

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 VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article IX, Section 6 of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business Council to acquire by purchase, exchange of Tribal land, relinquishment, or otherwise any lands or interests in land for and on behalf of the Three Affiliated Tribes under such terms as may be agreed upon provided the acquisition is approved by the Secretary of the Interior; and

WHEREAS, Jarret and Kerry Baker have offered to sell certain fee property located in New Town to the Tribe to be used as a site for housing for the new Elbowoods Health Care facility for the total purchase price of \$600,000.00 to be paid over a five year period; and

WHEREAS, Article VI, Section 5 (c) of said Constitution specifically provides that the Tribal Business Council has the power to administer any funds or property within the exclusive control of the Tribes to make expenditures from available tribal funds for public purposes of the Tribes; and





WHEREAS, said property is described as:

OUTLOT "9" OF NE ¼. SECTION 17., TOWNSHIP 1562N., RANGE 92W

TOWNSHIP ONE HUNDRED FIFTY-TWO (152) NORTH RANGE NINETY-TWO (92) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN MOUNTRAIL COUNTY, NORTH DAKOTA. THAT PART OF NORTHEAST ONE QUARTER (NE1/4) OF SECTION SEVENTEEN (17), DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST (NE) SECTION CORNER OF SAID SECTION SEVENTEEN (17), THEN S. 0.°01'56"W, ALONG THE EAST SECTION LINE OF SAID SECTION SEVENTEEN (17), A DISTANCE OF 677.23 FEET TO THE POINT OF BEGINNING THEN CONTINUING S.0°01 "56"W., A DISTANCE OF 1645.66 FEET TO A POINT, THEN S 89°51'30"W., A DISTANCE OF 726.98 FEET TO A POINT; THEN N.0°02'55"W., A DISTANCE OF 333.85 FEET TO A POINT THEN S.87°45'34"W., A DISTANCE OF 423.65 FEET TO A PONT; THEN N.1°58'25"E., A DISTANCE OF 420.00 FEET THEN N.0°01'56"E., A DISTANCE OF 912.18 FEET TO A POINT, THEN S.89°53'10"E., A DISTANCE OF 1136.54 FEET5 TO THE POINT OF BEGINNING; CONTAINING 40.00 ACRES MORE OR LESS AND SUBJECT TO ALL EXISTING EASEMENTS ON RECORD AND HENCEFORTH TO BE KNOWN AS OUTLOT NINE (9) IN THE NORTHEAST ONE QUARTER (NE1/4) OF SAID SECTION SEVENTEEN (17). THE ABOVE BEARING WERE DEFLECTED FROM ASSUMED S.89°53'10"E., ALONG NORTH SECTION LINE OF SAID SECTION SEVENTEEN (17).

WHEREAS, The Tribal Business Council has determined that the proposed purchase meets the criteria of Article IX, Section 6 of the Constitution of the Three Affiliated Tribes and has further determined that it is the best interest of the Tribes to acquire said property for use by the Three Affiliated Tribes – Mandan, Hidatsa and Arikara Nation.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the purchase of the above described property from Jarret & Kerry Baker for the total amount Six Hundred Thousand Dollars (\$600, 00.00) to be paid over a five year term at the rate of One Hundred and Twenty Thousand Dollars per year for five years; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the Legal Department is directed to prepare all legal documents necessary to complete this transaction and obtain a abstract and issue a title opinion prior to closing; and






CERTIFICATION

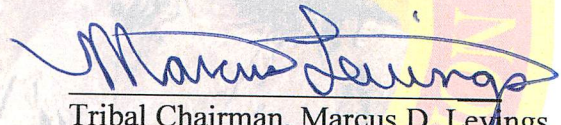
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 28th day of September 2010; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 3 members, 2 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 29th day of September 2010

ATTEST:


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


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

