



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

A Resolution Entitled, "Authorization of an amendment to a lease between the Fort Berthold Housing Authority and the Tribe for the Awa' Hu Village, White Shield".

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 of the Three Affiliated Tribe generally 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 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 VI, Section 5 (I) 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

WHEREAS, Pursuant to Article VI, Section 5 (I) of the Constitution the Tribal Business Council has the authority to make assignments and leases of tribal lands and otherwise manage tribal lands, interests in tribal lands and property upon such lands in conformity with Article IX of the Constitution; and

WHEREAS, On January 1, 2010, the Three Affiliated Tribes and the Fort Berthold Housing Authority entered into a tribal business lease, lease contract number 10-TB01-60 ("the lease"), for tribal trust land within the Awa' Hu Village in White Shield, for purposes of constructing housing for low income families, and

WHEREAS, The Fort Berthold Housing Authority has requested an amendment to the lease to provide a more accurate legal description of the 2 parcels of land that are the subject of the lease and to clarify that low income housing tax credits will be utilized to construct the housing on the leased premises within the Awa' Hu Village; and

WHEREAS, the Tribal Business Council has determined that it is appropriate to approve the requested amendment; now





THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and approves the following amendments to the lease:

1. Section 1 of the lease is amended to state as follows:

1) **PREMISES:** The lessor hereby leases to the lessee the following real property located in the community of White Shield, Fort Berthold Indian Reservation, County of MacLean, State of North Dakota, described as follows: Part of the Northwest ¼ of Section 25 Township 148 North, Range 88 West, County of McLean, State of North Dakota, more particularly described as follows:

PARCEL 1: Commencing at the Northwest corner of the Northwest 1/4 of Section 25, Township 148 North Range 88 West, Thence North 89° 51'00" East along the North line of said Northwest ¼ for a distance of 75.00 feet; thence South 00°01'00" East parallel to the West line of said Northwest ¼ for a distance of 75.00 feet to the Point of Beginning; thence, North 89°51'00" East parallel to the North line of said Northwest ¼ for a distance of 300.00 feet; thence, South 00°09'00" East parallel to the west line of said Northwest 1/4 for a distance of 364.97 feet, thence along a curve to the left with a radius of 656.00 feet for an arc length of 371.03 feet, thence along a curve to the right with a radius of 590.00 feet for an arc length of 431.97 feet, thence South 09°23'35" West for a distance of 219.83 feet, thence along a curve to the left with a radius of 633.00 feet for an arc length of 377.46 feet, thence South 24° 46'22" East for a distance of 324.62 feet, thence along a curve to the left with a radius of 310.00 feet for an arc length of 98.64 feet; thence South 52°01'57" West for a distance of 262.24 feet thence along a curve to the right with a radius of 100.00 feet for an arc length of 66.24 feet, thence South 89°59'00" West for a distance of 283.82 feet to a line 75.00 East of the West line of the North ¼ of said Section 25; thence N 0°01'00" West parallel to the West line of said Northwest ¼ for a distance of 2235.442 feet to the Point of Beginning. Said parcel contains 22.24 acres more or less.

PARCEL 2: Commencing at the Southwest corner of said Northwest 1/4, thence North 89°56'37" East along the South line of said Northwest ¼ for a distance of 75.00 feet to the Point of Beginning; thence North 0°01'00" West parallel to the west line of said Northwest ¼ for a distance of 260.16 feet to a line 2380.42 South of the North line of said Northwest ¼; thence North 89°59'00" East for a distance of 283.82 feet, thence along a curve to the left with a radius of 166.00 feet for an arc length of 63.62 feet; thence South 0°01'00" East for a distance of 271.36 feet to the south line of said Northwest ¼ ; thence S89°50'37" West along the south





line of said Northwest ¼ for a distance of 345.90 feet to the Point of Beginning. Said Parcel contains 2.07 acres more or less.

2. Section 2 of the lease is amended to state as follows:

- 1) **USE OF PREMISES:** The premises shall be used for the purpose of constructing and operating a housing subdivision with appurtenances as may be necessary for eligible low income families as may be approved by the lessor, with financial assistance through grants and/or loans from the Federal and or tribal Government and utilizing low income housing tax credits.

BE IT FURTHER RESOLVED, That all other provisions of the lease shall remain in full force and effect; the Tribal Chairman and Secretary of the Three Affiliated Tribes or designated representatives are hereby authorized to execute the amendment to the lease on behalf of the Tribe; and


BE IT FURTHER RESOLVED, That the Three Affiliated Tribes' Tribal Business Council requests that the Bureau of Indian Affairs approve this amendment to the lease.

CERTIFICATION

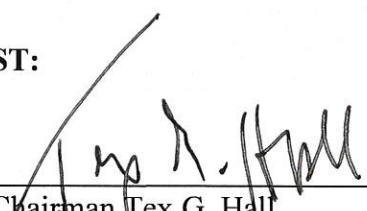
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14 day of April, 2011, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 14 day of April, 2011.



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

ATTEST:


 Tribal Chairman Tex G. Hall
 Tribal Business Council
 Three Affiliated Tribes

