



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

*A Resolution Entitled: Three Affiliated Tribes Renunciation of Right to inherit fractionated Interests in the Estate of Dana Marie Freeman AKA Dana Marie Dana #301 U-05575*

**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 VI, Section 5 (d) of the Constitution provides that the Tribal Business Council has the power to negotiate with the federal government on behalf of the Tribes; 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,** Tribal member Dana Marie Freeman aka Dana Marie Deane died intestate on November 12th, 2008 and did not have any surviving eligible heirs and her only heirs at law are her seven siblings, Patricia Smith, Yolanda Deane, Harlan Deane, Joseph Freeman, Martha Deane, Jody Deane Kevin Moquino and Lavonda Deane; and





**WHEREAS,** Dana Deane Marie Freeman owned fractionated interests in trust allotments on the Fort Berthold Indian Reservation which represent less than five percent (5%) of the entire undivided ownership in said allotments; and

**WHEREAS,** pursuant to the terms of the American Indian Probate Reform Act (AIPRA), 25 U.S.C. § 2206 (a) (2) (D) (iii) (IV) interest of less than five percent will pass to the Indian Tribe having jurisdiction over the interest if there are no surviving eligible heirs and not to the siblings, this provision of the law being known as the single heir rule; and

**WHEREAS,** Dana Marie Freeman's interest in allotments of less than 5% will descend to the Three Affiliated Tribes under the single heir rule; and

**WHEREAS,** The Tribal Business Council has the option to renounce the Tribes' interests in these allotments provided that it adopts a resolution doing the same and naming a single heir for whom the Tribe believes the property should be inherited by; and

**WHEREAS,** all of the above listed siblings, except Lavonda Deane have signed and submitted a written instrument acknowledging to the Tribal Business Council that they have no objection to the Tribe naming Lavonda Deane as the individual whom should inherit these fractionated interests in the Estate of Dana Marie Freeman ; and

**WHEREAS,** The Tribal Business Council has determined that it should renounce its rights in these fractionated interest and name Lavonda Deane as the successor to inherit said interests; and

**NOW, THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby renounces all rights to inherit any interests of five percent (5%) or less pursuant to the American Indian Probate Reform Act, 25 U.S.C. § 2206 (a) (2) (D) (iii) (IV) in the Estate of Dana Marie Freeman aka Dana Marie Deane Probate P00003677IP; and

**BE IT FINALLY RESOLVED,** that the Tribal Business Council hereby determines that any interest in trust or restricted property that it has renounced in the Estate of Dana Marie Freeman aka Dana Marie Deane and should be inherited by Lavonda Deane.






**CERTIFICATION**

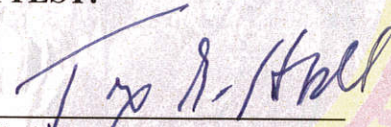
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 15<sup>th</sup> 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 15<sup>th</sup> day of April 2011.

**ATTEST:**

  
Tribal Secretary,  Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

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

