



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

A Resolution Entitled, "Authorization of a Second Amendment to a Lease Between the Fort Berthold Housing Authority and the Three Affiliated Tribes, and an Amendment to a Sublease Between the Fort Berthold Housing Authority and Arikara Homes Limited Partnership, 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 (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

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, Pursuant to Resolution Number 11-040-VJB, the Tribal Business Council authorized an amendment to the lease to, among other things, revise the legal description of the leased premises; and

WHEREAS, Pursuant to Resolution Number 11-041-VJB, the Tribal Business Council authorized a sublease of the leased premises between the Fort Berthold Housing Authority and Arikara homes Limited Partnership (the "sublease"); and

WHEREAS, The Fort Berthold Housing Authority has requested a second amendment to the lease and an amendment to the sublease to amend the legal description of the leased premises to ensure that the leased premises does not encroach upon an





existing agricultural lease previously approved by the Tribal Business Council;
and

WHEREAS, the Tribal Business Council has determined that it is appropriate to approve the requested amendments.

THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and approves the following second amendment to Section 1 of the lease to state as follows:

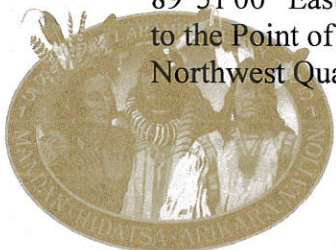
PREMISES: The lessor hereby leases to the lessee the following real property located in the community of White Shield, Fort Berthold Indian Reservation, County of McLean, State of North Dakota, described as follows: Part of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 25 Township 148 North, Range 88 West, County of McLean, State of North Dakota, more particularly described as follows: Known all men by these presents: That the Three Affiliated Tribes are the owners of a tract of land in Part of the Northwest Quarter of Section 25, Township 148 North, Range 88 West; County of McLean, State of North Dakota described as Follows:

Parcel One:

Part of Northwest Quarter of Section 25 Township 148 North, Range 88 West, County of McLean, State of North Dakota: Commencing at the Northwest corner of the Northwest Quarter of Section 25, Township 148 North Range 88 West, Thence North $89^{\circ} 51'00''$ East along the North line of said Northwest Quarter for a distance of 75.00 feet; thence South $00^{\circ}01'00''$ East parallel to the West line of said Northwest Quarter for a distance of 75.00 feet to the Point of Beginning; thence, North $89^{\circ}51'00''$ East parallel to the North line of said Northwest Quarter for a distance of 300.00 feet; thence, South $00^{\circ}09'00''$ East parallel to the west line of said Northwest Quarter 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 $09^{\circ}23'35''$ West for a distance of 30.28 feet, thence South $89^{\circ}59'00''$ West for a distance of 483.55 feet, Thence North $00^{\circ}01'00''$ West parallel to the West line of the Northwest Quarter for a distance of 1159.28 feet to the Point of Beginning. Said parcel contains 10.04 acres more or less together with easements and rights of way of sight and record.

Parcel Two:

Part of Northwest Quarter of Section 25 Township 148 North, Range 88 West, County of McLean, State of North Dakota: Commencing at the Northwest corner of the Northwest Quarter of Section 25, Township 148 North Range 88 West, thence North $89^{\circ} 51'00''$ East along the North line of said Northwest Quarter for a distance of 75.00 feet; thence South $00^{\circ}01'00''$ East parallel to the West line of said Northwest Quarter for a distance of 75.00 feet, thence, North $89^{\circ}51'00''$ East parallel to the North line of said Northwest Quarter for a distance of 366.00 feet to the Point of Beginning, thence North $89^{\circ}51'00''$ East parallel to the North line of said Northwest Quarter for a distance of 904.53 feet, thence South $00^{\circ}09'00''$ East for a distance of





383.88 feet, thence North $85^{\circ}34'32''$ West for a distance of 344.76 feet, thence along a curve to the left with a radius of 300.00 feet for an arc length of 108.18 feet, thence South $73^{\circ}45'48''$ West for a distance of 457.45 feet, thence along a curve to the right with a radius of 590.00 feet for an arc length of 130.00 feet, thence North $00^{\circ}09'00''$ West for a distance of 364.97 feet to the Point of Beginning. Said parcel contains 8.31 acres more or less together with easements and rights of way of sight and record.

Parcel Three:

Part of Northwest Quarter of Section 25 Township 148 North, Range 88 West, County of McLean, State of North Dakota: Commencing at the Northwest corner of the Northwest Quarter of Section 25, Township 148 North Range 88 West, thence North $89^{\circ}51'00''$ East along the North line of said Northwest Quarter for a distance of 75.00 feet; thence South $00^{\circ}01'00''$ East parallel to the West line of said Northwest Quarter for a distance of 75.00 feet, thence, North $89^{\circ}51'00''$ East parallel to the North line of said Northwest Quarter for a distance of 1270.53 feet, thence South $00^{\circ}09'00''$ East for a distance of 383.88 feet, thence South $16^{\circ}33'12''$ West for a distance of 67.51 feet to the Point of Beginning, thence South $04^{\circ}25'28''$ West for a distance of 383.48 feet, thence South $81^{\circ}07'48''$ West for a distance of 675.90 feet, thence along a curve to the left with a radius of 656.00 feet for an arc length of 271.19 feet, thence along a curve to the right with a radius of 590.00 feet for an arc length of 137.66 feet, thence North $73^{\circ}45'48''$ East for a distance of 457.75 feet, thence along a curve to the right with a radius of 234.00 feet for an arc length of 84.38 feet, thence South $85^{\circ}34'32''$ East for a distance of 330.58 feet to the Point of Beginning. Said parcel contains 7.43 acres more or less together with easements and rights of way of sight and record.

BE IT FURTHER RESOLVED, That the Tribal Business Council further authorizes and approves an amendment to the sublease that incorporates the amendment to the legal description of the leased premises as described herein; and

BE IT FURTHER RESOLVED, That all other provisions of the lease and sublease 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 amendments to the lease and sublease on behalf of the Tribe; and

BE IT FURTHER RESOLVED, That, to the extent required by federal law, the Three Affiliated Tribes' Tribal Business Council requests that the Bureau of Indian Affairs approve the amendments approved herein.






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 10th day of June, 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.

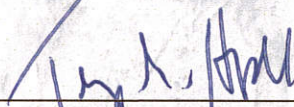
Chairman Voting. Not Voting.

Dated this 10th day of June, 2011.

ATTEST:



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



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

