



**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 Jeffrey Scott Roszell”*

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 under said Act; and

WHEREAS, Pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, 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 (1) 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 Tribes; 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; Jeffrey Scott Roszell died intestate on July 13, 2015 and did not have any surviving eligible heirs and his only heirs at law are his three siblings,

WHEREAS, Jeffrey Scott Roszell 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 allotment; 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



RESOLUTION NO. 16-045-LKH

WHEREAS, Jeffrey Scott Roszell 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 signal heir for whom the Tribe believes the property should be inherited by; and

WHEREAS, all of the above listed siblings, signed and submitted written instrument acknowledging to the Tribal Business Council that they have no objection to the Tribe naming Tina Roszell Whitehorn as the individual whom should inherit these fractionated interests in the Estate of Jeffrey Scott Roszell; and

WHEREAS, The Tribal Business Council has determined that it should renounce its rights in these fractionated interests and name Tina Roszell Whitehorn as the successor to inherit said interests; and

NOW THERE FOR IT BE RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby renounces all right 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 Jeffrey Scott Roszell **Probate #P000 1333451P**; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby determines that any interest in trust or restricted property that it has renounced in the Estate of Jeffrey Scott Roszell and should be inherited by Tina Roszell White Body.



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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10th day of March, 2016, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 4 members, 0 members opposed, 1 members abstained, 2 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 March, 2016.

ATTEST:

Tribal Secretary L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes

Tribal Chairman Mark N. Fox
Tribal Business Council
Three Affiliated Tribes

