



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

A Resolution entitled, "*Approval of the Land Exchange between the Three Affiliated Tribes and Mr. Spencer Wilkinson, Sr.*"

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 and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; and

WHEREAS, Article IX of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business Council to acquire by exchange of tribal land, any lands or interests in land for and on behalf of the Tribe, subject to the approval of the Secretary of the Interior; 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, Spencer Wilkinson, Sr. 301-U1335, a member of the Three Affiliated Tribes has offered to exchange his interests in certain allotments described below for Tribal interest also described below; and

WHEREAS, The Tribal Business Council has determined that the proposed exchange meets the criteria of Article IX, Section 6 of the Constitution of the Three Affiliated and has further determined that it is in the best interest of the Tribe to acquire all the undivided interest of Mr. Spencer Wilkinson, Sr. in the listed allotments in exchange for a partitioned Tribal interest in Allotment T1284 and partial release of the mortgages that are encumbered on this tract, specifically USDA document number 24359, USDA document number 24360, USDA document number 25350 and FmHA document number 17117; and



NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes in accordance with the powers vested in it by Article IX, Section 6 of the Constitution of the Three Affiliated Tribes, hereby approves a land exchange between Spencer Wilkinson, Sr. and the Three Affiliated Tribes for lands described below:

Spencer Wilkinson, Sr., 301-U1335, Property

Allotment Number 301-371, an undivided $\frac{1}{6}$ interest within NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 148 North, Range 89 West, McLean County, 5th Principal Meridian of North Dakota, containing 40 acres of which his interest is 6.67 acres interest more or less, valued at \$13,573.45.

Allotment Number 301-1341-A, an undivided $\frac{2}{14}$ interest within SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20, Township 148 North, Range 89 West, McLean County, 5th Principal Meridian of North Dakota, containing 40 acres, of which his interest is 5.71 acres, more or less, valued at \$11,619.85.

Allotment Number 301-1341-B, an undivided $\frac{3}{28}$ interest within N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 148 North, Range 89 West, McLean County, 5th Principal Meridian of North Dakota, containing 2.5 acres, of which his interest is .26 acre, more or less, valued \$529.10.

Allotment Number 301-1341-C, an undivided $\frac{2}{14}$ interest within E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20, Township 148 North, Range 89 West, McLean County, 5th Principal Meridian of North Dakota, containing 37.5 acres, of which his interest is 5.358 acres, more or less, valued at \$10,903.53.

Allotment Number 301-1357, an undivided $\frac{1}{6}$ interest within SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 148 North, Range 89 West, McLean County, 5th Principal Meridian of North Dakota, containing 40 acres of which his interest is 6.67 acres interest more or less, valued at \$13,573.45.

In Exchange for a Partitioned Interest in

Tribal Allotment Number 301-T1284, SW $\frac{1}{4}$ SW $\frac{1}{4}$ S $\frac{1}{2}$, Section 35, Township 148 North, Range 89 West, McLean County, 5th Principal Meridian of North Dakota, containing 20.00 acres more or less, valued at **\$50,276.00**.

BE IT FURTHER RESOLVED, that the Tribal Business Council authorizes the Chairman and Secretary to sign all documents necessary to effectuate this exchange; and

BE IT FURTHER RESOLVED, that in accordance with Article IX, Section 6 of the Constitution this transaction shall be subject to the approval of the Secretary of Interior or his authorized representative.

LANDEXCHANGE between Three Affiliated Tribes and Spencer Wilkinson, Sr. 301U001335

Marital Status: Married
 Address: 308 9th Street North
 City, State, Zip New Town, ND 58763
 Telephone: # 421-7129

Prepared by: Andrew LaBatte
 Andrew LaBatte, Realty Specialist

Date: 03/02/2016

Reviewed by: Renita Howling Wolf
 Renita Howling Wolf, Realty Officer
 Fort Berthold Agency
 202 Main Street, P.O. Box 370
 New Town, North Dakota 58763
 701-627-4707 Ext. 6521

Received by: _____ Date: _____
 Natural Resources Office

Allotment	Legal Description	County	Total Acres	Land Type	Value Estimate Per Acre	Tribal Interest	Tribal Acres	Indiv. Interest	Indiv. Acres	Estimated Land Value
371	NW¼ SE¼; Sec. 20, T. 148N., R. 89W., FPMND	McLean	40	Farm	Privately Lease. Appraisal rate \$2035	N/A	N/A	.166666666(1/6)	6.6700000000	\$13,573.45
1341-A	SW¼ NW¼; Sec. 20, T. 148N., R. 89W., FPMND	McLean	40	Farm	Privately Lease. Appraisal rate \$2035	N/A	N/A	.1428571428 (2/14)	5.7100000000	\$11,619.85
1341-B	N¼SW¼NW¼NW¼NW¼; S¼NW¼NW¼NW¼NW¼; Sec. 20, T. 148N., R. 89W., FPMND	McLean	2.5	Homesite	FBHA	N/A	N/A	.1071428571 (3/28)	0.2600000000	\$529.10
1341-C	E¼NW¼NW¼E¼W¼NW¼NW¼; N¼NW¼NW¼NW¼NW¼; S¼SW¼NW¼NW¼NW¼; W¼SW¼NW¼NW¼NW¼ Sec. 20, T. 148N., R. 89W., FPMND	McLean	37.5	Farm	Privately Lease. Appraisal rate \$2035	N/A	N/A	.1428571428 (2/14)	5.3580000000	\$10,903.53
1357	SW¼SE¼; Sec. 20, T. 148N., R. 89W., FPMND	McLean	40	Farm	Privately Lease. Appraisal rate \$2035	N/A	N/A	.166666666(1/6)	6.6700000000	\$13,566.78
									24.6680000000	\$50,199.38

THREE AFFILIATED TRIBES LAND REQUESTED FOR EXCHANGE:

T1284	W¼ SW¼, Sec. 35 T. 148N., R. 89W., FPMND	McLean	80.00	Farm	Appraisal rate \$2038	100%	80.00		80.00	\$50,950.00
	*2nd APPRAISAL Obtained for SWSW (40 acres)				Appraisal rate \$2038 established by 1st					
	*Acreage for acreage exchange 25 acres = \$50,950 described as the SWSWN1/2S1/2S1/2 of Section 35, T148N, R89W 5th Principal Meridian, McLean County, ND includes native prairie, crop, creek area				appraisal					
	Comments: Exclusive of Minerals									

ingress and egress available to both parties
 (State whether Individual is reserving minerals, if a coal tract or subject to a prior reservation).

Coal Tract: All allotments are exclusive of coal which are subject to prior reservation exclusive to the Three Affiliated Tribes
 Subject to a prior reservation: Allotment 371 & 1357 (both tracts) is reserving minerals; allotments 1341-A/-B/-C & Tribal tract T1284 are subject to prior reservation of minerals
 Tribal Tract T1284 is encumbered by FmHA assignment of income. Partition recommended. Based on the appraisals/acreages there is a difference of \$750.62 in favor of the Three Affiliated Tribes

\$750.62



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 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting.

Dated this 10th day of March, 2016.

ATTEST:

Handwritten signature of L. Kenneth Hall in cursive script.

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

Handwritten signature of Mark N. Fox in cursive script.

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