



Resolution No. 16-100-LKH

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

A Resolution entitled, “*Approving Agricultural Leases on Tribal Land to Jim Pennington*”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, 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, Pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Council, its Agencies and Officials; and

WHEREAS, Article IX Sections 1 and 3 of the Constitution provides that the Tribal Business Council has the authority to manage and lease or otherwise deal with tribal lands and resources; and

WHEREAS, Leasing agricultural Tribal trust land require approval of the Tribal Business Council pursuant to federal and tribal law; and

WHEREAS, Applications for leasing Tribal Land are subject to the requirements of tribal law, including Resolution No. 14-071-VJB (MHA Nation Application for Rights of Way and Use of Right of Way), Resolution No. 14-089-VJB (MHA Nation Pipeline Right-of-Way Terms and Conditions), and Resolution No. 15-045-LKH (Establishing a Procedure for the Approval of Leases, Rights of Way, Setback Variances and Permissions to Survey on Tribal Land); and

WHEREAS, The applications for agricultural lease(s) described herein have been reviewed and recommended for approval in accordance with the Three Affiliated Tribes’ approved procedure for authorizing agricultural lease(s) on tribal land; and

WHEREAS, Jim Pennington, 3489 92nd Ave. NW, New Town, ND, 58763, applied to lease Tribal Trust farm land described herein.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby approves the leases on the following allotments, subject to the respective negotiated payment agreed upon and execution of the Terms and Conditions and payment of a Five (5) month agricultural leases pursuant to Resolution No. 05-135-NH:



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Tract #	Land Type	Description	SEC	TWP	RGE	Crop Acres	Grass Acres	Pasture Rate	Crop Rate	Annual rent per lease
T.A. #5	Grass	Within Sec. 6, 7 & 8		150	93		305	\$16		\$4,880.00
Total Payment										\$4,880.00

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.


CERTIFICATION

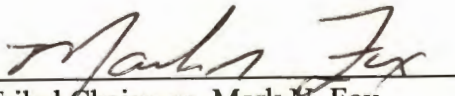
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12th day of May, 2016, 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 12th day of May, 2016.

ATTEST:


Tribal Secretary, L. Kenneth Hall
Tribal Business Council


Tribal Chairman, Mark N. Fox
Tribal Business Council