



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

*A Resolution entitled, "Consent to Certain Rights of Way across Tribal land for the
McKenzie Electric Cooperative"*

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 (or "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 provide that the Tribal Business Council has the authority to manage and lease or otherwise deal with Tribal lands and resources; and

WHEREAS, Leases and Rights of Way (ROWs) across Tribal trust and fee land require the consent of the Tribal Business Council pursuant to federal and Tribal law; and

WHEREAS, The applications for Rights of Way described herein have been reviewed and recommended for approval in accordance with the MHA Nation's approved procedure for authorizing ROWs on Tribal land; and

WHEREAS, The Tribal Business Council finds it appropriate to authorize the ROWs described herein.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council of the Three Affiliated Tribes hereby consents to the following ROW(s):

McKenzie Electric Cooperative will be constructing an Electrical Service Line in the Four Bears and West Segments. The easement will run a service line for Sherry Lone Fight's new house in the West Segment, across certain Tribal shares in:

- a. Allotment Number 858A, Section 10, T. 149 N., R. 94 W., McKenzie County, 5th Principal Meridian of North Dakota, with a 51.1% Tribal interest, offered value according to MEC Board Policy 103.



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 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 26th day of November, 2019; 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 [X] voting. [] not voting.

Dated this 26th day of November, 2019.

ATTEST:

*Tribal Secretary, Frederick W. Fox, Sr.
Tribal Business Council
Three Affiliated Tribes*

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



APPENDIX A.1

LEGAL DESCRIPTION OF ELECTRIC EASEMENT

SHERRY LONE FIGHT NEW HOUSE (WO#20190226)

THE CENTERLINE OF A 100 FOOT WIDE (50 FEET ON EACH SIDE OF CENTERLINE) TEMPORARY, AND A 30 FOOT WIDE (15 FEET ON EACH SIDE OF CENTERLINE) PERMANENT ELECTRIC EASEMENT ALONG WITH 4 ASSOCIATED ANCHORS, LOCATED IN SECTIONS 10 AND 15, TOWNSHIP 149 NORTH, RANGE 94 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MCKENZIE COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT DESCRIPTION: (100 FOOT WIDE, 50 FEET EACH SIDE OF CENTERLINE) TEMPORARY, AND (30 FOOT WIDE, 15 FEET EACH SIDE OF CENTERLINE) PERMANENT, EXCEPTING THEREFROM ANY PORTION OF THE TEMPORARY EASEMENT WHICH FALLS WITHIN THE NE1/4 OF SAID SECTION 15.

BEGINNING AT A POINT WHICH BEARS N86°16'08"W A DISTANCE OF 2420.12 FEET FROM A GLO BRASS CAP AT THE SOUTHEAST CORNER OF SAID SECTION 10; (BEGIN URD) THENCE S67°20'40"W A DISTANCE OF 135.42 FEET TO A POINT HEREINAFTER REFERRED TO AS STATION 1+35.42; (BEGIN OHP) THENCE N78°05'54"W A DISTANCE OF 239.42 FEET A POINT HEREINAFTER REFERRED TO AS STATION 3+74.84; THENCE S30°40'32"W A DISTANCE OF 85.16 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 10; THENCE CONTINUING S30°40'32"W A DISTANCE OF 454.97 FEET TO A POINT A POINT HEREINAFTER REFERRED TO AS STATION 9+14.97; THENCE CONTINUING S30°40'32"W A DISTANCE OF 37.50 FEET TO THE TERMINUS AT A POINT WHICH BEARS S46°19'09"W A DISTANCE OF 605.47 FEET FROM A REBAR/AC AT THE NORTH QUARTER CORNER OF SAID SECTION 15.

ANCHOR DESCRIPTIONS:

ANCHOR 1: BEGINNING AT STATION 1+35.42 AS HEREINBEFORE DESCRIBED; THENCE S78°05'54"E A DISTANCE OF 37.50 FEET TO THE TERMINUS.

ANCHOR 2: BEGINNING AT STATION 3+74.84 AS HEREINBEFORE DESCRIBED; THENCE N30°40'32"E A DISTANCE OF 42.00 FEET TO THE TERMINUS.

ANCHOR 3: BEGINNING AT STATION 3+74.84 AS HEREINBEFORE DESCRIBED; THENCE N78°05'54"W A DISTANCE OF 42.00 FEET TO THE TERMINUS.

ANCHOR 4: BEGINNING AT STATION 9+14.97 AS HEREINBEFORE DESCRIBED; FALLS WITHIN PREVIOUSLY DESCRIBED EASEMENT.

EASEMENT SIDE LINES TO BE SHORTENED OR LENGTHENED TO INTERSECT EXISTING BOUNDARY AND EASEMENT LINE, AND NOT CREATE GAPS OR OVERLAPS.

SAID EASEMENT CONTAINS 1073.97 FEET, 8.21 URD RODS, 2.153 TEMPORARY ACRES MORE OR LESS, 0.701 PERMANENT ACRES MORE OR LESS AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

