



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

A Resolution entitled, "Approval of Dispute Resolution Provisions and Limited Waiver of Sovereign Immunity in East Segment's 20 Unit Apartment Complex Construction Agreement."

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, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes and retains the sole authority to offer limited waivers of sovereign immunity on behalf of the Tribes and their subdivisions; and

WHEREAS, on or about April 6, 2020, the White Shield/East Segment entered into an AIA A133 Owner-Construction Manager Agreement with Comstock Construction, Inc. to construct a 20 Unit Apartment Complex in White Shield, MHA Nation (the "A133"); and

WHEREAS, the A133 contains a limited waiver of the Three Affiliated Tribe's tribal sovereign immunity as well as certain alternative dispute resolution provisions providing for arbitration with appeal to MHA Tribal Court (and with damages limited to the contract sum, which will not exceed the guaranteed maximum price and recovery solely against the assets of the East Segment); and

WHEREAS, in order to give effect to the Three Affiliated Tribe's limited waiver and dispute resolution provisions as stated in the A133, the approval of the Tribal Business Council is required; and

NOW, THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes and approves the dispute resolution provision in the A133 as of its stated effective date, including the Three Affiliated Tribe's limited waiver of sovereign immunity as stated therein.




CERTIFICATION

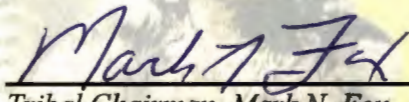
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of April, 2020; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] voting. [] not voting.

Dated this 8th day of April, 2020.

ATTEST:


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


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

