



**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  
State of South Dakota, Department of Transportation"***

**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 ("Tribes" or "MHA Nation"), 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,** The Tribes own certain land in South Dakota and certain applications for Rights of Way (or "ROWs") have been submitted to the MHA Nation for approval; 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** that the Tribal Business Council of the Three Affiliated Tribes hereby consents to the following ROW(s):

South Dakota Department of Transportation is requesting a temporary construction easement for an intersection realignment of US Highway 212, in the City of Gettysburg in Potter County, South Dakota. The temporary easement will run 264 square feet, for the road construction, across certain Tribal lands in:

- a. East 99 feet, 6 inches of Lot 3, Block 79, Western Town Lot Company's Addition to Gettysburg, Potter County, South Dakota, with a 100% Tribal interest, offered value of \$300.00.



**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.

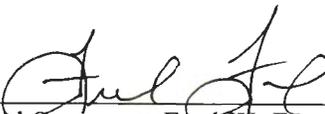
**CERTIFICATION**

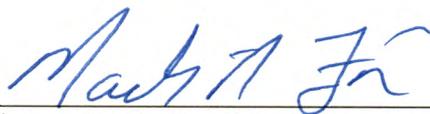
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14<sup>th</sup> day of May, 2020, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 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 14<sup>th</sup> day of May, 2020.

**ATTEST:**

  
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Tribal Secretary, Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

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