



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

**A Resolution Entitled, *“Approving and Authorizing Construction and Operation of the
Mandaree ERC Upon Tribal Lands”***

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** The Constitution 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 MHA Nation and of the enrolled members thereof; and
- WHEREAS,** Pursuant to Article VI, Section 5(l) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business
- WHEREAS,** Article V, Section 5(i) of the Constitution specifically authorizes and empowers the Tribal Business Council to purchase and manage tribal lands; and
- WHEREAS,** The Tribe requires expansion of emergency medical and law enforcement services; and
- WHEREAS,** To increase medical and law enforcement capacity the Tribe has undertaken construction of the Mandaree Emergency Response Center (the “Mandaree ERC Project”); and
- WHEREAS,** The Tribe has engaged EAPC Architects Engineers to serve as the architect for the Mandaree ERC Project ; and
- WHEREAS,** The Tribe has awarded the construction contract for the Mandaree ERC Project to Comstock Construction; and
- WHEREAS,** The Mandaree ERC is being built upon land owned by the Tribe which is legally described as shown in **Attachment A**; and
- WHEREAS,** It is necessary for the Tribe to authorize and allow for the construction and operation of the Mandaree ERC on the land previously described; and



NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council authorizes and approves the construction and operation of the Mandaree ERC on the land described in **Attachment A**.

BE IT FINALLY RESOLVED, the Tribal Chairman is authorized to take such action as is necessary to carry out the terms and intent of this Resolution.

[THIS SPACE LEFT INTENTIONALLY BLANK. CERTIFICATION FOLLOWS.]

LEASE TRACT CERTIFICATE OF SURVEY

LOCATED IN A PORTION OF T 696A -C, SE1/4 SE1/4 AND THE
NE1/4 SE1/4 OF SECTION 11, TOWNSHIP 149 NORTH, RANGE 94
WEST OF THE 5TH PM, FORT BERTHOLD INDIAN RESERVATION,
MCKENZIE COUNTY, NORTH DAKOTA.

PROPERTY DESCRIPTION

Commencing at the southeast corner of said Section 11, which is a
2" aluminum cap stamped LS-5965, thence N23°03'55"W a distance of
1020.11 feet to the True Point of Beginning.

Thence along the perimeter of the Lease Tract on the following eight (8)
courses:

- (1) S89°05'52"W a distance of 496.40 feet;
 - Thence (2) N23°46'30"W a distance of 217.85 feet;
 - Thence (3) N10°21'32"W a distance of 376.30 feet;
 - Thence (4) N10°21'42"W a distance of 278.97 feet to the apparent
centerline of 1st Avenue NE;
 - Thence (5) S85°28'09"E along said centerline a distance of 575.42 feet to a
point from which the east 1/4 corner of said Section 11 bears N33°44'20"E
a distance of 1089.08 feet;
 - Thence (6) S09°14'45"E a distance of 311.32 feet;
 - Thence (7) S09°10'20"E a distance of 241.34 feet;
 - Thence (8) S09°14'35"E a distance of 248.38 feet to the Point of Beginning.
- Containing 10.346 Acres more or less and all according to the attached
Certificate of Survey

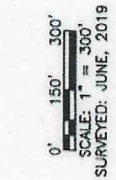
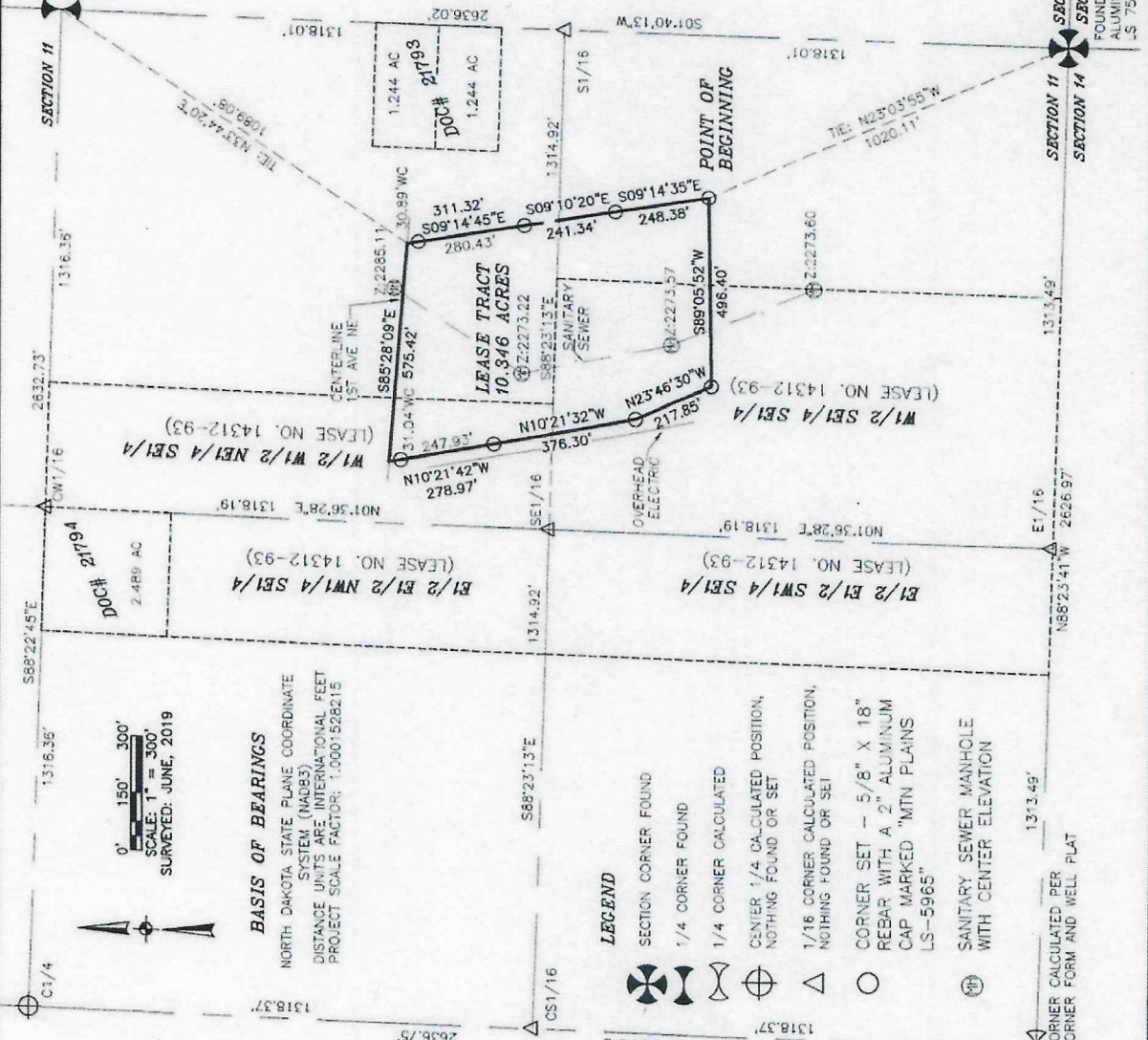
CERTIFICATE OF SURVEYOR

I, JON T. ESSEX, A PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT
THE SURVEY SHOWN HEREIN WAS PERFORMED UNDER MY DIRECT SUPERVISION
AND THE INFORMATION SHOWN IS TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE. THE FIELD SURVEY WAS PERFORMED DURING JUNE, 2019.

THE ATTACHED SURVEY WAS PERFORMED AT THE REQUEST OF THE THREE
AFFILIATED TRIBES AND DEPICTS THE LAND BOUNDARIES FOR THE MANDAREE
FIRST RESPONSE BUILDING. ALL EFFORT WAS MADE TO ACQUIRE AND
INCORPORATE ENCUMBRANCES DOCUMENTED IN THE TITLE STATUS REPORT AND
ADDITIONAL INFORMATION PROVIDED BY THE CLIENT. THIS SURVEY DOES NOT
REFLECT A FULL TITLE SURVEY.



FILING INFORMATION



BASIS OF BEARINGS

NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM (NAD83)
DISTANCE UNITS ARE INTERNATIONAL FEET
PROJECT SCALE FACTOR: 1.0001528215

LEGEND

- SECTION CORNER FOUND
- 1/4 CORNER FOUND
- 1/4 CORNER CALCULATED
- CENTER 1/4 CALCULATED POSITION,
NOTHING FOUND OR SET
- 1/16 CORNER CALCULATED POSITION,
NOTHING FOUND OR SET
- CORNER SET - 5/8" X 18"
REBAR WITH A 2" ALUMINUM
CAP MARKED "MTN PLAINS
LS-5965"
- SANITARY SEWER MANHOLE
WITH CENTER ELEVATION

CORNER CALCULATED PER
CORNER FORM AND WELL PLAT



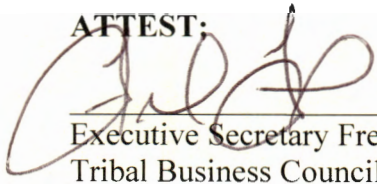
CERTIFICATION

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 14th day of May, 2020, 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.

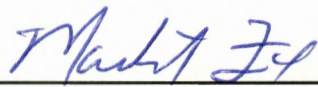
Chairman Voting. Not Voting.

Dated this 14th day of May, 2020.

ATTEST:



Executive Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes



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