



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

***A Resolution entitled, "Consent to Approval of a Right-of-Way across Tribal Fee in
Mountrail County."***

- 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, also known as the Mandan, Hidatsa, and Arikara Nation ("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,** Leases and Rights-of-Way (or "ROWS") across Tribal land require the consent of the Tribal Business Council pursuant to federal and Tribal Law; and
- WHEREAS,** Applications for ROWs on Tribal land are subject to the requirements of Tribal law, including Resolution No. 17-117-FWF, 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,** Sally White, home owner, has submitted a ROW application for a utility corridor to the home site across Tribal Fee Tract in Mountrail County, 510000300, in Section 1, Township 151 North, Range 91 West, 5th PM of North Dakota; and
- WHEREAS,** The aforementioned ROW application has been reviewed and recommended for approval in accordance with the Three Affiliated Tribes' approved procedure for authorizing ROWs on Tribal land.
- NOW, THEREFORE, BE IT RESOLVED,** that subject to Sally White's agreement to and execution of all applicable MHA Nation ROW Terms and Conditions, as listed therein, the Tribal Business Council of the Three Affiliated Tribes hereby approves the following ROW application and waiver of ROW fees:



- Sally White Home Site described above - Reservation Telephone Cooperative Utility Corridor

BE IT FURTHER RESOLVED, that the Tribes do not consent to waive any bond, insurance, or alternative form of security; and

BE IT FURTHER RESOLVED, that the MHA Nation Standard Terms and Conditions for Right-of-Ways, executed by Reservation Telephone Cooperative, constitute a written agreement as part of the MHA Nation's consent to the grant of the ROW for Northeast Segment – Sally White Home Site Utility Corridor; and

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 16th day of November, 2022; 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 16th day of November, 2022.

ATTEST:

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

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