

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution and Bylaws of the Three Affiliated Tribes authorize and empower the Tribal Business Council of the Three Affiliated Tribes to protect and preserve the property and natural resources of the Tribes; and
- WHEREAS, The Constitution and Bylaws of the Three Affiliated Tribes more specifically authorize and empower the Tribal Business Council of the Three Affiliated Tribes to manage and lease or otherwise deal with tribal lands and interests in tribal lands for the benefit of the members of the Tribes; and
- WHEREAS, The Tribal Business Council, on behalf of the Three Affiliated Tribes, has been negotiating with certain representatives of Farmers Union Central Exchange, Inc., relative to the proposed renewal of a previously-expired twenty (20)-year right-of-way for an existing eight (8)-inch petroleum products pipeline crossing approximately 2,000 rods of land situated within the exterior boundaries of the Fort Berthold Reservation, said pipeline presently crossing approximately eighty-six (86) rods of tribal land; and
- WHEREAS, In certain correspondence, dated August 24, 1981, Farmers Union Central Exchange, Inc., in consideration for the execution by the Tribal Business Council, on behalf of the Three Affiliated Tribes, of a written agreement whereby the Three Affiliated Tribes will consent to the proposed application for renewal of the expired pipeline right-of-way across the eighty-six (86) rods of tribal land for a period of twenty (20) years, has agreed to provide therefor the following provisions:
1. payment to the Three Affiliated Tribes of consideration in the amount of Fifty and 00/100 Dollars (\$50.00) per rod for the right-of-way across the eighty-six (86) rods of tribal land;
  2. supplemental lump-sum payment of consideration in the amount of \$287,000.00, which payment shall be in lieu of any and all license fees, other fees, taxes, and assessments which may be lawfully levied by the Three Affiliated Tribes against said pipeline, contents, and related facilities thereof during the twenty (20)-year term of said right-of-way;
  3. negotiation of payment for any and all future damage resulting from any repair or replacement of existing pipeline crossing or related facilities thereof situated on tribal land, which payment shall not exceed the actual cost of any such repair or replacement projects, which projects shall be restricted to the repair or replacement of the existing pipeline and shall not include any additional line or lines; and

4. negotiation of any additional right-of-way for the construction of any additional line or lines crossing tribal lands, and employment of qualified members of the Three Affiliated Tribes for any and all such construction projects undertaken within the exterior boundaries of the Fort Berthold Reservation; and

WHEREAS, Upon careful and reasoned consideration of the above-identified agreement proposed by Farmers Union Central Exchange, Inc., the Tribal Business Council has determined said proposal to be satisfactory and beneficial to the respective interests of the Three Affiliated Tribes and of the members thereof,

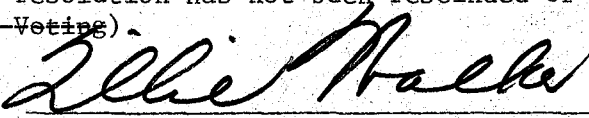
NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council, on behalf of the Three Affiliated Tribes, forthwith accepts the proposed agreement submitted thereto by Farmers Union Central Exchange, Inc., as identified hereinabove, and shall enter into a formal written agreement with said Farmers Union Central Exchange, Inc., whereby the proposed agreement herein shall be implemented; and

BE IT FURTHER RESOLVED, that the Tribal Business Council, on behalf of the Three Affiliated Tribes and in conjunction with the individual Indian allottees over whose respective lands the existing petroleum products pipeline crosses, shall negotiate with Farmers Union Central Exchange, Inc., for the purpose of securing therewith a reasonable settlement whereby said Farmers Union Central Exchange, Inc., shall agree to pay to the Three Affiliated Tribes and to said individual allottees compensation as consideration for the grant thereby of a retrospective right-of-way during the period having commenced on the date of the expiration of the former twenty (20)-year right-of-way (i.e., July 14, 1980) and terminating on the date next preceding the initial effective date of the proposed renewed right-of-way.

C E R T I F I C A T I O N

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 11 members of whom 7 constitutes a quorum, 8 were present at a Special Meeting, thereof duly called, noticed, convened and held on the 21st day of June, 1982; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 8 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 (Voting) (Not-Voting).

DATED THIS 21st DAY OF JUNE, 1982.

  
SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:

  
CHAIRMAN, TRIBAL BUSINESS COUNCIL