

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 of the Three Affiliated Tribes generally 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 Tribes and of the enrolled members thereof; and
- WHEREAS, Article IX, Section 6 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to acquire, by exchange of Tribal land, any lands or interests in land for and on behalf of the Tribes; and
- WHEREAS, Article VI, Section 5(d) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to negotiate with agencies of the United States on behalf of the Tribes; and
- WHEREAS, The Tribal Business Council had previously directed the Legal Department and the Natural Resources Department of the Tribes to engage in negotiations with the Army Corps of Engineers in an effort to acquire, on behalf of the Tribes, beneficial interest in those certain tracts of Corps land situated within what is commonly referred to as the Four Bears Complex area by means of an exchange therefor of Tribal lands; and
- WHEREAS, As a result of the negotiations, Senators Quentin N. Burdick and Mark Andrews have proposed to introduce an amendment to S.1567 in the United States Senate in the 1st Session of the 99th Congress, which amendment would effectuate the negotiated land exchange (a photostatic copy of which amendment is attached hereto and made part hereof); and
- WHEREAS, Those certain tracts of Tribal land involved in the exchange are currently inundated or are subject to future inundation by the waters of Lake Sakakawea and, as a consequence, the monetary value of the lands in which the Tribes will receive a beneficial interest far exceeds the monetary value of those tracts of Tribal land which will be exchanged therefor; and
- WHEREAS, The Army Corps of Engineers has identified a total of ninety-one (91) tracts of land which it proposes that the Tribes cause to be transferred to the Corps in the exchange; and

WHEREAS, The close scrutiny of the respective legal descriptions of and ownership interests in such ninety-one (91) tracts performed by the Legal and Natural Resources Departments, in conjunction with the Realty Office of the Fort Berthold Agency of the Bureau of Indian Affairs, has revealed that the Three Affiliated Tribes have either no interest or only a partial interest in the following nine (9) tracts identified by the Corps:

Tract I, Parcel 5 - SE $\frac{1}{4}$ SE $\frac{1}{4}$ 36-147-89 (7.89 acres)
Tract I, Parcel 6 - SE $\frac{1}{4}$ SE $\frac{1}{4}$ 36-147-89 (2.50 acres)
Tract I, Parcel 8 - NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3-147-89 (3.90 acres)
Tract I, Parcel 14 - Lots 5 & 6, 7-147-90 (0.92 acres)
Tract I, Parcel 48 - NE $\frac{1}{4}$ 7-150-91 (10.88 acres)
Tract I, Parcel 49 - NE $\frac{1}{4}$ 7-150-91 (8.26 acres)
Tract I, Parcel 54 - E $\frac{1}{2}$ SE $\frac{1}{4}$ 15-150-92 (50.76 acres)
Tract I, Parcel 82 - SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20-150-92 (1.89 acres)
Tract I, Parcel 83 - SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20-150-92 (1.84 acres);

and

WHEREAS, Due to their lack of full interest in any of the above-identified nine (9) tracts, the Tribes are possessed of no authority to cause said tracts to be transferred to the Army Corps of Engineers in the proposed land exchange and, therefore, object to the inclusion of said nine (9) tracts within the total of the tracts which the Tribes will be obligated to exchange with the Corps; and

WHEREAS, It is the considered judgment of the Tribal Business Council that it would be in the best interests of the Tribes to pursue the proposed land exchange with the Army Corps of Engineers, provided that the above-identified nine (9) tracts of land, totalling 88.84 acres, are excluded from the exchange;

NOW, THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally approves the introduction by Senators Quentin N. Burdick and Mark Andrews of the attached amendment to S.1567 in the United States Senate, with the express understanding that the exchange of lands between the Three Affiliated Tribes and the Army Corps of Engineers, authorized and mandated by said Senate bill amendment, shall not include those certain nine (9) tracts of land identified hereinabove.

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 constitute a quorum, 10 were present at a Special Meeting thereof duly called,

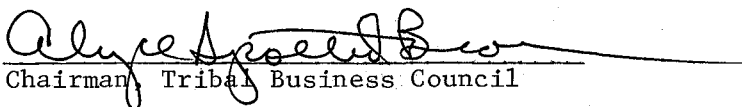
Resolution 86-08-C cond'd

noticed, convened and held on the 24th day of January, 1986;
that the foregoing Resolution was duly adopted at such Meeting by the
affirmative vote of 10 members, 0 members opposed, 0 members
abstained, 0 members not voting, and that said Resolution has not
been rescinded or amended in any way.

Dated this 4th day of February, 1986.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council