

RESOLUTION  
OF THE  
GOVERNING BODY  
OF THE  
THREE AFFILIATED TRIBES  
OF THE  
FORT BERTHOLD INDIAN 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 benefits of the Tribes and of the enrolled members thereof; and

WHEREAS, The Natural Resources Committee of the Tribal Business Council approved the exchanges of land between the Three Affiliated Tribes and **Esley P. Thorton, Sr.**, under the terms and conditions stated below; and

NOW THEREFORE, BE IT RESOLVED, That the Three Affiliated Tribes Tribal Business Council approves the exchange of lands described below, exclusive of minerals, held in trust by the United States of America for the Three Affiliated Tribes and lands held in trust by the United States of America for **Esley P. Thorton, Sr.**, 301-U1057, hereby authorized the Chairman of the Tribal Business Council, its Secretary, and Superintendent of the Fort Berthold Agency, the Area Director, and the Commissioner of Indian Affairs to prepare all documents and to do all things necessary to exchange lands for which title is to be transferred to the tribe and **Esley P. Thorton, Sr.**, under the terms and condition as stated on the attachment.

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 7 members of whom 5 constitutes a quorum, 6 were present at a Regular Meeting, thereof duly called, notice, convened, and held on the 18th day of May 1992; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 3 members, 0 members opposed, 0 members abstained, 3 members not voting and that said Resolution has not been rescinded or amended in any way.

Chairman (voting) (not voting)

Dated this 18th day of May, 1992.

Attest:

John P. Rabbehead Jr  
Secretary, Tribal Business Council

William O. Williams  
Chairman, Tribal Business Council

ESLEY P. THORTON, SR.

LAND EXCHANGE WITH THE THREE AFFILIATED TRIBES

ALLOT. #	DESCRIPTION	ACRES	VALUE
141	NW $\frac{1}{4}$ 20-149-91, containing 160 acres, exchanging 1/216 interest	.74	70.37
142	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 19-149-91, containing 40 acres, exchanging 1/216 interest	.19	17.59
358	N $\frac{1}{2}$ SW $\frac{1}{4}$ 20-149-91, containing 80 acres, exchanging 1/216 interest	.37	35.19
610	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 18-149-91, containing 40 acres, exchanging 1/216 interest	.19	17.59
1125	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 28-149-93, containing 40 acres, exchanging 1/108 interest	.37	35.19
1171	N $\frac{1}{2}$ NE $\frac{1}{4}$ 18-149-91, containing 80 acres, exchanging 1/144 interest	.56	51.39
1172	S $\frac{1}{2}$ NE $\frac{1}{4}$ 18-149-91, containing 80 acres, exchanging 1/144 interest	.56	51.39
1445	Lots 1&2, 3-150-92, containing 80.76 acres, exchanging 13/144 interest	7.29	2,281.50
383A	W $\frac{1}{2}$ 9-150-93, containing 320 acres, exchanging 29/720 interest	12.89	1,095.56
733A	E $\frac{1}{2}$ 16-149-93, containing 320 acres, exchanging 1/144 interest	2.22	211.11
778A	E $\frac{1}{2}$ 12-149-94, containing 320 acres, exchanging 1/432 interest	.74	70.37
913A	Lots 5&6, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ 1-150-95, containing 320, acres, exchanging 13/864 interest	4.81	457.41
1002A	W $\frac{1}{2}$ 11-149-93, containing 320 acres, exchanging 7/1296 interest	1.73	164.20
1067A	S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ 32-148-94, containing 320 acres, exchanging 5/1296 interest	1.23	117.28
1068A	SW $\frac{1}{4}$ Sec. 28; NW $\frac{1}{4}$ 33-148-94, containing 320 acres, exchanging 35/11664 interest	.96	91.22
1072A	S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 28; N $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ 33-148-94, containing 320 acres, exchanging 5/324 interest	4.94	469.14
1082A	W $\frac{1}{2}$ 35-150-94, containing 320 acres, exchanging 1/1728 interest	.19	24.31
1083A	E $\frac{1}{2}$ 34-150-94, containing 320 acres, exchanging 13/1728 interest	2.41	228.70
TOTAL OF LAND HOLDINGS, ALL EXCLUSIVE OF MINERALS		42.39	5,489.51
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THREE AFFILIATED TRIBES			
613A	Lots 7&8, SE $\frac{1}{4}$ 13-152-95; Lots 3&4, E $\frac{1}{2}$ SW $\frac{1}{4}$ 18-152-94, containing 353.51 acres, exchanging 267/2500	37.75	5,489.52

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

DEED TO RESTRICTED INDIAN LAND

THIS INDENTURE, Made and entered into this \_\_\_\_\_ day of \_\_\_\_\_  
one thousand nine hundred and \_\_\_\_\_, by and between \_\_\_\_\_

The Three Affiliated Tribes of the Fort Berthold Reservation, a Corporation  
organized pursuant to the provisions of the Act of Congress approved June 18,  
1934 (48 Stat. 984)

of New Town, North Dakota 58763  
Indians \_\_\_\_\_, part y of the first part, and the United States of America in trust for  
Esley P. Thorton, Sr., 301-U1057  
of Bath, South Dakota, part y of the second part:

WITNESSETH, That said part y of the first part, for and in consideration of the sum of  
Exchange of other lands of approximate equal value dollars,  
in hand paid, the receipt of which is hereby acknowledged, do es hereby grant, bargain, sell, and convey  
unto said part y of the second part the following-described real estate and premises situated in  
McKenzie County, State of North Dakota

on the Fort Berthold Indian Reservation, to wit:  
an undivided 267/2500 interest in Lots 3 & 4, E½SW¼ Section 18, T. 152 N., R. 94 W.;  
Lots 7 & 8, SE¼ Section 13, T. 152 N., R. 95 W., Fifth Principal Meridian, North  
Dakota, containing 353.51 acres, more or less.  
Subject to a prior reservation of all oil, gas and other minerals as recorded.

Subject to all valid existing rights-of-way of record.

THIS CONVEYANCE IS MADE PURSUANT TO THE  
PROVISIONS OF THE ACT OF JUNE 18, 1934  
(48 STAT. 984)

NO HOMESTEAD RIGHTS INVOLVED.

together with all the improvements thereon and the appurtenances thereunto belonging. And the said  
part y of the first part, for them and their heirs, executors, and administrators,  
do es hereby covenant, promise, and agree to and with the said part y of the second part,  
its successors  
heirs and assigns, that they will forever warrant and defend the said premises against the  
claim of all persons, claiming or to claim by, through, or under them only.

To have and to hold said described premises unto the said part y of the second part, its successors  
~~heirs, executors, administrators,~~ and assigns, forever.

IN WITNESS WHEREOF, That said part y of the first part have hereunto set their hand s  
and seal the day and year first-above written. Three Affiliated Tribes of the  
Fort Berthold Indian Reservation

WITNESSES:

\_\_\_\_\_  
Its Chairman [SEAL]  
\_\_\_\_\_  
[SEAL]  
\_\_\_\_\_  
Its Secretary [SEAL]  
\_\_\_\_\_  
[SEAL]  
\_\_\_\_\_

*Handcarried by  
Jimmy, given to  
Fred on 11-18-91  
HW*