

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, The Lumber Construction Manufacturing Corporation, known as "LCM", owned by the Three Affiliated Tribes, went through a Chapter 11 bankruptcy that was concluded in 1996; and
- WHEREAS, As a result of that bankruptcy, LCM's assets were acquired outright by the Three Affiliated Tribes for cash in settlement of LCM's secured debts with the Bureau of Indian Affairs and the Tribe's guarantee of those debts; and
- WHEREAS, In December, 1995, the Three Affiliated Tribes granted a charter to a new corporation owned by the Tribe called the Fort Berthold Development Corporation; and
- WHEREAS, The Fort Berthold Development Corporation and its Board of Directors have now been bidding on various contracts for construction as either the prime contractor or subcontractor, and have been able to secure some contracts and are now solvent; and now hold the liquor license for the Four Bears Casino and Lodge previously held by LCM; and
- WHEREAS, LCM still has outstanding a contract with the Fort Berthold Housing Authority, known as A "Section 522 contract", the rights to which are owned by the Three Affiliated Tribes, to complete some remodeling and renovation of homes owned by the Housing Authority; and
- WHEREAS, Other than the contract as specified above, there is no reason for LCM to continue to exist, but there is no dissolution clause within the LCM charter, which leaves the power to dissolve LCM solely in the hands of the Three Affiliated Tribes Tribal Business Council; and
- WHEREAS, The Board of Directors of LCM has, at its most recent

meeting held March 25, 1997, voted to dissolve the corporation, subject to approval by the Tribal Business Council;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the Fort Berthold Development Corporation to act on behalf of LCM to complete the Section 522 housing renovation contract with the Fort Berthold Housing Authority; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the Tribal Business Council hereby dissolves the Lumber Construction Manufacturing Corporation and distributes its remaining assets, wherever they may be found, to the Fort Berthold Development Corporation; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the Tribal Business Council hereby transfers to the Fort Berthold Development Corporation those assets formerly owned by LCM acquired from the Bureau of Indian Affairs during the Chapter 11 bankruptcy of LCM; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the Tribal Business Council hereby authorizes the Tribal Chairman and the Tribal Treasurer to sign such documents as may be necessary to show the transfer of those assets to the Fort Berthold Development Corporation, including, but not limited to, a quit claim deed or deeds from the Tribe to LCM on the land formerly owned by LCM within the city of New Town, North Dakota, it being understood that the Fort Berthold Development Corporation remains a corporate entity wholly owned and controlled by the Three Affiliated Tribes; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the above transfer of assets to the Fort Berthold Development Corporation shall not affect repayment of those loans with Lakeside State Bank of New Town which are secured by rental income coming to the Tribe from the dialysis center operated by the Tribe under a self-determination contract with the Indian Health Service located in a building formerly owned by LCM.

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 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of April, 1997; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 1 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 8th day of April, 1997.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council