

**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 Grant of Easement for Right-of-Way, number 301-14374, dated June 2, 1982 was granted for the purpose of the construction of a road, namely BIA Route 223 known as the Mossett Bay road, and

WHEREAS, The terms and conditions of said Grant of Easement for Right-of-Way state “This easement is subject to any valid existing right or adverse claim and is without limitation as to tenure, so long as said easement shall be actually used for the purpose above specified; PROVIDED, that this right-of-way shall be terminable in part by the Grantor for any of the following causes upon 30 days’ written notice and failure by the Grantee without said notice period to correct the basis for termination (25 CFR 161.20):

- A. Failure to comply with any term or condition of the grant or applicable regulation.
- B. A nonuse of the right-of-way for a consecutive two-year period for the purpose for which it was granted....”

WHEREAS, The BIA Fort Berthold Agency has failed to comply with the terms and conditions of the grant of said easement which was granted for the purpose of the construction of a road into the Mossett Bay area (Cause A); and

WHEREAS, The BIA Fort Berthold Agency has failed to use the right-of-way identified in said easement for over a consecutive 15-year period for the purpose for which it was granted (Cause B).

NOW, THEREFORE BE IT RESOLVED, That the Three Affiliated Tribes request termination of Tribal Tract No. 11, Allotment No. T1765-C, SW1/4 SE1/4, Sec.3, T147N, R92W, 1.3 acres from easement number 301-14374 executed June 2, 1982 for causes A. and B. as provided by the terms and conditions of this Grant of Easement for Right-of-way.

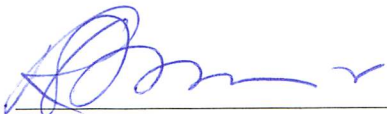
CERTIFICATION

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 13th day of January, 1998; 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 said Resolution has not been rescinded or amended in any way.

Dated the 13th day of January, 1998

Daylon Spotted Bear
Daylon Spotted Bear, Secretary
Tribal Business Council

ATTEST:



Russell Mason, Sr., Chairman
Tribal Business Council