



RESOLUTION NO. 09-~~122~~-VJB

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

A Resolution entitled, *"Disclaimer of trust personalty in favor of Theodora Mary Hale Star, Tribal Identification No.: 301U001256; DOB: 04.03.1941; Social Security No.: 502-48- ."*

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to 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 III, Section 1, of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5(c), of the Constitution of the Three Affiliated Tribes specifically requires that all expenditures from the Tribal Business Council shall be by resolution duly passed by the Council and that amounts so paid shall be matters of public records at all times; and

WHEREAS, Article VI, Section 5(h), of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business Council to regulate the inheritance of real and personal property, other than allotted lands, within the territory of their jurisdiction; and

WHEREAS, Article VI, Section 5(i), of the Constitution of the Three Affiliated Tribes specifically authorizes the Tribal Business Council to manage the interests in Tribal lands in conformity with Article IX of the Constitution; and

WHEREAS, Article IX, Section 2, of the Constitution of the Three Affiliated Tribes provides that the unallotted lands of the Fort Berthold Reservation and all lands which may be acquired by the Three Affiliated Tribes are to be held as tribal lands and shall not be mortgaged, sold, or ceded, except as permitted by law, and with the consent and approval of the Secretary of the Interior; and, said tribal lands may be assigned to members of the Three Affiliated Tribes, or leased, or otherwise used by the Tribes.



RESOLUTION NO. 09-~~122~~-VJB

- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes, in conformity with 43 C.F.R. §30.181, is disclaiming the trust personalty in the Estate of Hazie C. Star, which said trust personalty was derived from the decedent's less than 5% trust real property interests.
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes recognizes that the surviving spouse, Theodora Mary Hale Star, is a senior citizen whose health is critical having to depend upon such life support measures as kidney dialysis.
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes may renounce its right to receive trust personalty in favor of 'Any Indian'; and, the decedent's surviving spouse, Theodora Mary Hale Star, is a duly enrolled member of the Three Affiliated Tribes. [See, 43 C.F.R. §30.184(3), 73 F.R. 67297, November 13, 2008].
- WHEREAS,** The Tribal Business Council has determined that it is in the best interests to disclaim the trust personalty in the Estate of Hazie C. Star, Probate No.: P000067227IP, in favor of the decedent, Hazie C. Star's surviving spouse, Theodora Mary Hale Star. [See, attached "Renunciation of Interest"].
- NOW, THEREFORE, BE IT RESOLVED,** The Tribal Business Council of the Three Affiliated Tribes hereby provides a Directional Disclaimer to the trust personalty it has a right to receive in the Estate of Hazie C. Star, Probate No.: P000067227IP, in favor of Theodora Mary Hale Star, and directs the Probate Judge to include the Directional Disclaimer in its final order in the above identified probate case.

**UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
PROBATE HEARINGS DIVISION
301 N. 27th Street, Suite 300
Billings, Montana 59101-1260**

IN THE MATTER IN THE ESTATE OF:)
HAZIE C. STAR,) Probate No.: P000067227IP
301U001217, DECEASED,)
THREE AFFILIATED TRIBES INDIAN)

**RENUNCIATION OF INTEREST
43 C.F.R. §30.180, et seq.**

The Tribal Business Council of the Three Affiliated Tribes, executes the following Renunciation of Interest:

1. The Three Affiliated Tribes of the Fort Berthold Reservation, as a lawful heir, is entitled to receive the trust personalty from the above identified estate, which said trust personalty is derived from the decedent's less than 5% trust real property interests.
2. The Tribal Business Council of the Three Affiliated Tribes is aware that by making this Disclaimer, it is relinquishing, on behalf of the Three Affiliated Tribes, trust personalty in the decedent's estate, and that said Disclaimer has been fully considered by the Governing Body of the Three Affiliated Tribes. [*See*, attached Resolution of the Governing Body of the Three Affiliated Tribes].
3. The Three Affiliated Tribes of the Fort Berthold Reservation hereby disclaims its right to receive the trust personalty in the decedent's estate and directs that said trust personalty be distributed, in full, to the decedent's surviving spouse, Theodora Mary Hale Star, DOB: 04.03.1942, whose Tribal Enrollment No. is the following: 301U001256.
4. The amount of trust personalty to be distributed to Theodora Mary Hale Star, shall be the amount that has accumulated in the decedent's estate, up and through the date the estate is distributed to the decedent's lawful heir(s).

RENUNCIATION

The Tribal Business Council of the Three Affiliated Tribes, Fort Berthold Reservation, hereby RENOUNCES AND DISCLAIMS any and all right, title and interest that it may have, by intestate succession, to trust personalty in the estate of the above identified decedent.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, _____ were present at a _____ Meeting thereof duly called, noticed, convened and held on the _____ day of August, 2009, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of _____ members, _____, opposed, _____ member abstained, _____ member(s) not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting [] Not Voting.

Dated this _____ day of _____, 2009.

ATTEST:

Judy V. Brugh, Tribal Secretary
Tribal Business Council
Three Affiliated Tribes

Marcus D. Levings, Chairman
Tribal Business Council
Three Affiliated Tribes



RESOLUTION NO. 09- 122-VJB

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13th day of August, 2009, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0, opposed, 0 member abstained, 0 member(s) not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting [] Not Voting.

Dated this 13th day of August, 2009.

ATTEST:



V. Judy Brugh, Tribal Secretary
Tribal Business Council
Three Affiliated Tribes



Marcus D. Levings, Chairman
Tribal Business Council
Three Affiliated Tribes