



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

**A Resolution Entitled: "Authorization for MHA Development Corporation to Enter into
Ground Lease with United Tribes Technical College for Land in Bismarck, ND."**

WHEREAS, The Three Affiliated Tribes (the "MHA 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 MHA Nation 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 MHA Nation and of the enrolled members thereof; and

WHEREAS, Article III of the Constitution of the MHA Nation provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Sec. 5(a) of the Constitution of the MHA Nation provides that the Tribal Business Council has the power to manage all economic affairs and enterprises of the Tribe; and

WHEREAS, The United Tribes Technical College (UTTC) is the owner of certain real property, totaling 8.44 acres within the City of Bismarck, North Dakota, described as Lot 1, Block 1, United Tribes Technical Addition, Bismarck, North Dakota 58504 (the "Hotel Parcel"); and

WHEREAS, The UTTC has participated in negotiations with Thor Construction and Mortenson Development, Inc. to construct a hotel on the above-described Hotel Parcel; and

WHEREAS, The MHA Nation has agreed to fund 100% of the development for the hotel, and own and operate the hotel through MHA Development Corporation, a tribal corporation wholly-owned by the MHA Nation; and

WHEREAS, The UTTC will lease the Hotel Parcel for a term of 99 years to the MHA Development Corporation for a fixed annual rate of \$191,142.12, to increase by ten percent (10%) every ten (10) years, in accordance with the terms and conditions contained in the attached ground lease.



NOW, THEREFORE, BE IT RESOLVED that the Tribal Business Council of the Three Affiliated Tribes has determined it is in the best interest of the Tribe to authorize the MHA Development Corporation to enter into the ground lease for the Hotel Parcel with UTTC.

BE IT FURTHER RESOLVED, that the Tribal Business Council authorizes and directs the MHA Development Corporation's Board of Directors to enter into the ground lease, attached hereto and incorporated by reference.

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to take such further actions as are necessary to carry out the terms and intent of this Resolution.

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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, 6 were present at a Regular meeting thereof duly called, noticed, convened and held on the 11th day of September, 2014, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.


Chairman Voting. Not Voting.

Dated this 11th day of September, 2014.

ATTEST:



Executive Secretary, V. Judy Brugh
Tribal Business Council
Mandan Hidatsa Arikara Nation



Tribal Chairman, Tex G. Hall,
Tribal Business Council
Mandan Hidatsa Arikara Nation