



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

*A Resolution entitled, "Consent to Certain Rights of Way across Tribal land for the
McKenzie Electric Cooperative – Air BNB Phase 1."*

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws under said Act, and

WHEREAS, Pursuant to Article III, Section 1 of the Constitution and By-Laws of the Three Affiliated Tribes (or "Tribes"), the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Council, its Agencies and Officials; and

WHEREAS, Article IX, Sections 1 and 3 of the Constitution provide that the Tribal Business Council has the authority to manage and lease or otherwise deal with Tribal lands and resources; and

WHEREAS, The applications for Rights of Way (ROWs) described herein have been reviewed and recommended for approval in accordance with the MHA Nation's approved procedure for authorizing ROWs on Tribal land; and

WHEREAS, The Tribal Business Council finds it appropriate to authorize the ROWs described herein, and to waive payment in consideration of the public benefit the granting of the ROWs provides.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby waives payment and consents to the following ROW(s):

1. McKenzie Electric Cooperative's Purpose of Easement is to inspect, survey, develop, install, expand, construct, replace, operate, maintain, repair, remove and demolish electrical facilities. Term: 30 years – in accordance with the MHA Nation Public Utility Right-of-Way Consent Terms and Conditions with McKenzie Electric Cooperative, Inc. The easement is for the Air BNB Phase 1 project across certain Tribal lands in:



- a. Allotment T5439, Sections 15, 21 & 22, T152N, R93W, McKenzie County, 5th Principal Meridian of North Dakota, with a 1.000000000 Tribal interest.

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


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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of February, 2026, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.


Chairman [] Voting. [X] Not Voting.

Dated this 9th day of February, 2026.

ATTEST:



Tribal Secretary, Frederick W. Fox, Sr.
Tribal Business Council
Three Affiliated Tribes



Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes