

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 141-21
SFPP LP Easement Agreement

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs, and possesses attributes of sovereignty over both its members and territory; and

WHEREAS, the Constitution of the Pyramid Lake Paiute Tribe authorizes and empowers the Tribal Council to engage in activities on behalf of and in the interest of the welfare and benefits of the Tribe and of the enrolled members thereof; and

WHEREAS, the Constitution, Article VI, Section 1(c), as amended, authorizes the Tribal Council to approve any lease or encumbrance of tribal lands; and

WHEREAS, the Constitution, Article VI, Section 1(f), authorizes the Tribal Council to administer funds or property within the control of the tribe and to make expenditures from available funds for public purposes.

WHEREAS, S.F.P.P. LP ("SFPP"), a Delaware limited partnership, received a Grant of Easement for Pipeline Right-of-Way in 2010 ("2010 Pipeline Grant") from the United States for the purpose of operating a 6 inch welded joint steel petroleum products pipeline ("Pipeline") over the Pyramid Lake Paiute Reservation ("Reservation");

WHEREAS, the 2010 Pipeline Grant was valid for a ten year term, which expired on or around November 30, 2019;

WHEREAS, SFPP seeks a new grant of easement for the Pipeline for an additional twenty (20) year term, with an option to renew for another twenty (20) years upon written approval from the Tribe and additional compensation; and

WHEREAS, SFPP has submitted an application to the Bureau of Indian Affairs to obtain a new grant of easement for the Pipeline located on the Reservation; and

WHEREAS, under federal law, the Tribe is required to consent to the grant of easement and SFPP desires to obtain the Tribe's consent to the grant of easement from the United States for the new pipeline grant of easement; and

WHEREAS, the Tribal Council and SFPP have negotiated an Easement and Right of Way Agreement for Petroleum Products Pipeline ("Easement Agreement"), which is attached and incorporated by reference; and

WHEREAS, the Tribe will receive monetary compensation for entering into the Easement Agreement and the use of the Tribe's land for the easement, and the Tribal Council finds that this monetary compensation is fair and in the best interest of the Tribe; and

WHEREAS, the Tribal Council expressly concludes that the Easement Agreement, the total compensation and terms, and the grant of easement is in the best interest of the Tribe.

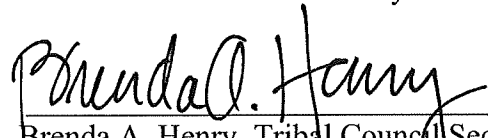
NOW THEREFORE BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby approves the Easement Agreement between the Pyramid Lake Paiute Tribe and S.F.P.P., LP; and

BE IT FURTHER RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby consents to a grant of easement between the United States and S.F.P.P., LP, provided that the Easement Agreement and its terms are expressly incorporated into such grant of easement; and

BE IT FINALLY RESOLVED, that the Tribal Council authorizes the Tribal Chairwoman to execute the Easement Agreement, to take any and all actions necessary to implement the Easement Agreement and the Tribe's obligations thereunder, and to take any other such actions necessary to accomplish, consummate, give effect to and enforce the Easement Agreement.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom constituting a quorum were present at a meeting duly held on the 15th day of October, 2021 was adopted by the affirmative vote of nine (9) FOR and zero (0) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.


Brenda A. Henry, Tribal Council Secretary
Pyramid Lake Paiute Tribal Council