

**RESOLUTION OF THE  
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL**

We, the undersigned, duly authorized members of the Exxon VALDEZ Oil Spill Trustee Council, after review find as follows:

1. By resolution dated May 31, 1996 ("Resolution") the Trustee Council approved acquisition of land and interests in land in Prince William Sound owned by the Chenega Corporation ("Chenega");

2. The Resolution required that certain conditions be satisfied before the Alaska Department of Law and the United States Department of Justice request funds from the United States District Court for payment to Chenega. One condition, that a purchase agreement be executed, has now been fulfilled in that the United States, the State of Alaska and Chenega on February 5, 1997 executed an Agreement for the Sale and Purchase of Lands and Interests in Lands among the Chenega Corporation and the United States and the State of Alaska ("Purchase Agreement") providing for the conveyance of fee title and conservation easements on the aforesaid lands. A second condition was that a satisfactory title search be completed. The title search has been commenced is not yet completed. Other conditions required by the Resolution have either been fulfilled or are expected to be fulfilled in the near future;

3. Chenega has requested that the Trustee Council expedite this transaction so that it will be able to receive the initial payment at the earliest possible date.

4. The Purchase Agreement provides for the payment of thirty-four million dollars (\$34,000,000) by the United States to Chenega at the time of closing. Twenty-four million dollars (\$24,000,000) is to be provided from the *Exxon Valdez* oil spill joint settlement funds, and

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the Forest Service has agreed to provide ten million dollars (\$10,000,000) of the sale proceeds from federal criminal restitution funds.

THEREFORE, we resolve to provide twenty-four million dollars (\$24,000,000) for the United States, acting through the Forest Service, and the State of Alaska to purchase the combination of fee simple and conservation easement interests described in the Purchase Agreement in accordance with the conditions therein and the following conditions:

(a) receipt by the United States District Court for the District of Alaska ("District Court") of the annual settlement payments due from Exxon Corporation, et al;

(b) disbursement of these funds by the District Court to the United States;

(c) completion of a satisfactory title search ensuring that Chenega is able to convey fee simple title or other interests in a manner that complies with the United States Department of Justice title standards and is satisfactory to the Alaska Department of Law;

(d) no timber harvesting on the lands described in the Agreement prior to closing ;

(e) the absence of development on the Lands prior to closing;

The Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice are requested to petition the District Court for withdrawal of the sum of twenty-four million dollars (\$24,000,000) from the *Exxon Valdez* oil spill settlement account established as a result of the Governments' settlement. No funds may be expended by the United States until the after the terms and conditions set forth herein and the conditions precedent set forth in Section 7 of the Purchase Agreement have been met and written notice is received from the Alaska Department of Law, the United States Department of Agriculture, Office of the General Counsel and the Executive Director of the Trustee

Council that the aforesaid conditions of this resolution and the Purchase Agreement have been satisfied.

Dated this 14<sup>th</sup> day of February, 1997 at Anchorage, Alaska.

*for* James A. Wolfe  
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