

OGLALA SIOUX TRIBE
BUSINESS CODE

FORM 21 – ARTICLES OF DISSOLUTION

Document processing fee is \$100.00

Fees & forms/cover sheets are subject to change.

Documents must be typewritten or machine printed.

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Dissolution

filed pursuant to Section 44-4-1.57 of the OST Business Code (For Profit Corporation), or Section 44-4-2.54 of the OST Business Code (Cooperative), or Section 44-4-6.55 of the OST Business Code (Nonprofit Corporation), and subpart 2.4 of Chapter 44 of the OST Law and Order Code:

1. The domestic entity name is:

ID Number: _____

2. Date dissolution was authorized: _____.
(mm/dd/yyyy hour:minute am/pm)

3. Mark "X" to affirm the following statement: _____ ("X"): "The dissolution was approved or authorized as required by law."

(Mark "X" where appropriate and complete):

If dissolution was approved by the shareholders:

(1) the number of votes entitled to be cast on the proposal to dissolve was: _____

(2) either the total number of votes cast for and against dissolution was:

_____ FOR and _____ AGAINST

OR,

_____ ("X"): the total number of undisputed votes cast for dissolution was: _____ and the number cast for dissolution was sufficient for approval.

(3) If voting by voting groups was required, the information required by subparagraph (2) is separately provided for each voting group entitled to vote separately on the proposal to dissolve in an attachment. Mark an "X" here _____ if there is such an attachment to this document.

OR,

If a nonprofit corporation, mark an "X" where appropriate:

_____ ("X"): The dissolution was approved by a sufficient vote of the board of directors.

_____ ("X"): The approval of members was not required.

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____ (“X”): If approval of members was required, the number of memberships outstanding was:
_____ and the total number of votes cast FOR and AGAINST dissolution were:

____ FOR and ____ AGAINST

____ (“X”): If approval of dissolution by some person(s) other than the members, the board or the incorporators is required pursuant to Section 44-4-6.53(a)(3) of the OST Business Code, that approval was obtained.

4. Mark “X” to affirm the following statement if it is true: _____ (“X”): The dissolution resulted from the exercise of an option to dissolve authorized by Section 44-4-1.56 of the OST Business Code, a copy of the notice required by that section is attached.

5. *(If the following statement applies, adopt the statement by marking with an “X” and include an attachment.)*

____ (“X”): This document contains additional information as provided by law.

6. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.) (If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)*

The delayed effective date and, if applicable, time of this document is/are

(mm/dd/yyyy hour:minute am/pm)

Notice: Causing this document to be delivered for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of subpart 2.4 of Chapter 44 of the Oglala Sioux Tribe Law and Order Code, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that subpart, the constituent documents, and the organic statutes. This perjury notice applies to each individual who causes this document to be delivered to the Oglala Sioux Tribe, whether or not such individual is named in the document as one who has caused it to be delivered.

7. Name(s) and address(es) of the individual(s) causing the document to be delivered for filing:

(Last) (First) (Middle) (Suffix)

(Street name and number or Post Office Box information)

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(City) (State) (ZIP/Postal Code)

(Province – if applicable) (Country)

(The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark below with an "X" and include an attachment stating the name and address of each such individuals.)

"X"

Disclaimer: This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.

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FORM 21 – ARTICLES OF DISSOLUTION INSTRUCTIONS

**Instructions for completing a
Articles of Dissolution**

Use these instructions when completing Articles of Dissolution pursuant to Section 44-4-1.57 of the OST Business Code (For Profit Corporation), or Section 44-4-2.54 of the OST Business Code (Cooperative), or Section 44-4-6.55 of the OST Business Code (Nonprofit Corporation), and subpart 2.4 of Chapter 44 of the OST Law and Order Code.

Provide only information required or permitted to be included in the document by OST law. Information included in the document must be typewritten, in English and must state the name(s) and address(es) of at least one individual causing the document to be delivered for filing. The required form/cover sheet must be used when filing the document.

You may include additional information in an attachment to the form/cover sheet. Any attachment becomes part of the document. If there is a conflict between information in the attachment and the form/cover sheet, the information in the form/cover sheet controls. Information provided in a case-sensitive format will be retrieved and displayed in the same format.

Include a self-addressed stamped envelope and extra copy of the document for return mailing of the file stamped copy.

Line-by-line Instructions:

Domestic Entity Name. List the domestic entity name.

ID Number. The number assigned to the initial document that began the record in the Tribal Records of the Oglala Sioux Tribe. This ID number is specific to the OST. It is not a state or federal tax number. The ID number is noted in the Tribal Records indexed by name. This ID number must be indicated on all documents related to an existing record in the Tribal Records.

Date Dissolution Was Authorized.

Authorization of Dissolution. Mark an “X” where indicated to affirm the following statement: “The dissolution was approved or authorized as provided in Subpart 4.5 of the OST Business Code.” Complete the blanks and mark “X”s where indicated.

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Section 44-4-1.56 Option to Dissolve. Mark an “X” where indicated to affirm the following statement if it is true: “The dissolution resulted from the exercise of an option to dissolve authorized by Section 44-4-1.56 of the OST Business Code, a copy of the notice required by that section is attached.”

Additional Information. If additional information is to be included, mark the box and include an attachment stating the additional information.

Delayed Effective Date. The effective date of this document may be delayed up to 90 days after filing. The delayed effective date may also specify a particular time of day Central Time. If no time of day is specified, it defaults to close of business on that date. Close of business is 11:59:59 PM Central Time.

Notice. Causing this document to be delivered to the Tribe for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of subpart 2.4 of Chapter 44 of the OST Law and Order Code, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Subpart, the constituent documents, and the organic statutes. This perjury notice applies to each individual who causes this document to be delivered to the Tribe, whether or not such individual is named in the document as one who has caused it to be delivered.

Filing Information. State the name(s) and address(es) of the individual(s) causing this document to be delivered for filing. This information is required for the Tribe to deliver notice if the filing of the document is refused. The individual(s) listed will be held responsible for complying with the above notice. The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark an “X” where indicated and include an attachment stating the name and address of such individuals.

Disclaimer. These instructions, and the related form, are not intended to provide legal, business or tax advice, and are offered as a public

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