Little River Band of Ottawa Indians
375 River Street
Manistee, MI 49660

Resolution # 09-0722-203

Authorizing Ogema to sign Memorandum of Agreement between
Michigan Department of Transportation the Bureau of Indian Affairs and the Little River
Band of Ottawa Indians

WHEREAS, the status of the Gaá Čìng Ziibi Daáwaa Aníšhinaábek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(b) to approve contracts negotiated by the Ogema on behalf of Little River Band of Ottawa Indians; and

WHEREAS, the Tribal Council and Ogema agree that entering the Memorandum Agreement between the Michigan Department of Transportation and the Bureau of Indian Affairs is in the best interest of the Tribe
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Ogema to sign the Memorandum of Agreement between the Michigan Department of Transportation the Bureau of Indian Affairs and the Tribe.

IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians approves the Memorandum of Agreement between Michigan Department of Transportation the Bureau of Indian Affairs and the Tribe according to the MOA document as executed by the Ogema.

IT IS FINALLY RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby expressly denies any waiver of Sovereign Immunity; also denies any implied waiver of Sovereign Immunity in connection with authorization of this contract.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on July 22, 2009, at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Janice M. Sam, Council Recorder

[Signature]
Stephen Parsons, Council Speaker

Attest:

Distribution:  Tribal Council
               Tribal Ogema
               Tribal Court
               Planning Department