Resolution # 14-1217-402


WHEREAS, the status of the Gaá Čhíng Ziibi Daáwaa Aníšchinaábe (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, pursuant to Article I of the Tribe’s Constitution, “Territory,” which includes within the jurisdiction of the Tribe “all lands which are now or hereafter owned by or reserved for the Tribe…and all lands which are now or at a later date…held in trust for the Tribe or any member of the Tribe by the United States of America”; and

WHEREAS, pursuant to Article IV of the Tribe’s Constitution, the Tribal Council is vested with the authority to “purchase, lease…or otherwise acquire land [or] interests in land…which may be deemed beneficial to the Little River Band” (§ 7(c)); and
WHEREAS, pursuant to Article IV of the Tribe’s Constitution, the Tribal Council is
vested with the authority to “authorize and ratify agreements and contracts
negotiated by the Tribal Ofﬁce on behalf of the Little River Band with federal,
state, and local governments...on all matters within the authority of the Tribal
Council” (§ 7(b)); and

WHEREAS, the Tribe has entered into a Class III Tribal-State Gaming Compact with the
State of Michigan in 1998, which was approved by the Assistant Secretary for
Indian Affairs in December 1998, and which became effective upon publication in
the Federal Register on February 18, 1999 (58 Fed. Reg. 63262) and which
authorizes the Tribe to engage in Class III gaming on its Indian Lands, as deﬁned
under the IGRA; and

WHEREAS, the Class III Tribal-State Gaming Compact with the State of Michigan was
amended on April 21, 2008; and

WHEREAS, the Tribal Council has enacted the “Gaming Ordinance” # 10-400-01, which
was approved by the Chairman of the National Indian Gaming Commission in
accordance with the Indian Gaming Regulatory Act (“IGRA”), 25 U.S.C. § 2701
et. Seq.; and

WHEREAS, the Tribe has purchased the Parcel (“the Site”), and is requesting acceptance
into trust by the Secretary for the beneﬁt of the Tribe for the purpose of
constructing, developing, and managing a gaming facility, hotel, and such other
uses incidental thereto (“the Project”); and

WHEREAS, the Tribal Council, through the adoption of this Resolution, is requesting
that the Secretary of the Interior approve the Tribe’s request and accept title to the
Site by approving the deed of conveyance, by which the Site is conveyed to the
United States in trust for the Tribe; and

WHEREAS, the Tribal Council is requesting that the Secretary of the Interior approve
acquisition of the Site pursuant to an exception to the general requirement under
the Indian gaming Regulatory Act, (“IGRA”), 25 U.S.C. §2719(b)(1)(A) that
permits gaming on lands acquired after October 17, 1998 only upon the
concurrency of the Governor of the State that acquisition of the Site is in the best
interests of the Tribe and not detrimental to the surrounding community; and

WHEREAS, the Project proposed to be built on the Site is needed for long-term
economic planning and will provide the revenues necessary to fund economic
development, essential governmental services on the Reservation, allow the Tribe
to ﬁnance and develop businesses on the Reservation, and create jobs on the
Reservation that will improve the standard of living for all persons who live and
work on the Reservation;
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians formally requests that the Secretary of the Interior transfer into trust property status the fee simple land owned by the Little River Band of Ottawa Indians consisting of approximately 87.5 acres encompassed within Muskegon County Assessor’s parcel numbers 61-15-115-300-0011-10, 61-15-115-300-0026-00, and 61-15-115-300-0028-00 shown in Exhibit A;

IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians authorizes its Tribal Designee to submit to the Department of Interior the attached supporting documentation and land into trust application for the 87.5 acres of land encompassed within Muskegon County Assessor’s parcel numbers 61-15-115-300-0011-10, 61-15-115-300-0026-00, and 61-15-115-300-0028-00 shown in Exhibit A.

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, and _1_ ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on December 17, 2014, at the Little River Band’s Government Center in Manistee, Michigan, with a quorum being present for such vote.

Sandy Mezeske, Council Recorder

Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Human Resources
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