



**Little River Band of Ottawa Indians**

1762 U.S. 31 South  
Manistee MI 49660  
(231) 723-8288

ORIGINAL

Resolution No. #01-0110-02

**Authorizing the Tribal Ogema, or in his absence, the Tribal Council Speaker  
to Execute a Revised Engagement Letter  
with Miller & Schroeder Investments Corporation to Secure  
Financing for the Expansion of Little River Casino Resort**

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereinafter "Little River Act"); and

WHEREAS, the Tribe is entitled to the protections and benefits accorded federally-recognized Indian tribes under federal law, including those under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. §2701 et seq.)(hereinafter "IGRA"), which permits Indian tribes to operate Class II and III gaming activities on lands held in trust for the Tribe; and

WHEREAS, the Tribe has determined that the development of the permanent casino/resort facilities is in the best, long-term interests of the Tribe and its members; and

WHEREAS, the Tribe has previously signed an Engagement Letter, dated October 6, 2000, with Miller & Schroeder Investments Corporation, to arrange for the placement of financing relating to the expansion of Little River Casino Resort; and

WHEREAS, recent revisions to the project scope, including addition of community water and wastewater treatment facilities, requires certain revisions to the October 6, 2000 Engagement Letter; and

WHEREAS, Miller & Schroeder, in consultation with the Tribe's attorneys, are preparing a revised Engagement Letter, which incorporates the changes recommended by the Tribe's attorneys and required by changes in project scope and budgets; and



WHEREAS, the Tribe adopted a 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, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in his/her absence, the Tribal Council Speaker, is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (b) of the Constitution, has the power to ratify agreements and contracts negotiated by the chief executive officer of the Tribe; and

WHEREAS, the Tribal Council has determined that execution of a revised engagement letter, consistent with the changes recommended by the Tribe's attorneys, will advance important Tribal purposes and tribal business enterprises.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema, or in his absence, the Tribal Council Speaker, to execute a revised engagement letter with Miller Schroeder Investments Corporation, to arrange for the placement of financing in a total amount of up to \$48,500,000 relating to the expansion of Little River Casino Resort.

#### 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, 1 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on January 10, 2001, in Manistee, Michigan. A quorum of the Tribal Council being present for such vote.

  
\_\_\_\_\_  
Charles Fisher, Council Recorder

Attest:

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Joan Spalding, Council Speaker  
SERVING KENT, LAKE, MANISTEE, MASON, MUSKEGON, NEWAYGO,  
OCEANA, OTTAWA AND WEXFORD COUNTIES  
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