



Little River Band of Ottawa Indians

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

ORIGINAL

Resolution No. #01- 0207 - 06

**Acceptance of the Grant of Easement executed by
Manistee Orchards, Inc.
and the Tribal Ogema for the purpose of
obtaining access to the Wastewater Treatment Site.**

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 Tribal Council and Tribal membership have determined that restoration of the Tribe's historic reservation land base and other lands within the Tribe's historic territory is a critical priority;

WHEREAS, the Tribal Council has determined that it is critical to expand its economic endeavors and address the needs for tribal housing on its current land holdings called the "Dontz Road" and "Casino" properties;

WHEREAS, this expansion needs the appropriate infrastructure, including water and wastewater treatment systems to be built in order to fulfill these needs;

WHEREAS, the location to develop the wastewater treatment system has been identified by taking into account such factors as, drainage, slope of the land, and ability to use the land for other economic reasons.

WHEREAS, an easement must be obtained in order to access the location of the wastewater treatment system site and lay the pipelines.

WHEREAS, the Tribal Council believes that an easement from the "Manistee Orchards, Inc. Cold Storage Property" will meet the immediate and short term needs of the Tribe for developing the wastewater treatment system; and

WHEREAS, the Tribal Council previously authorized the Tribal Ogema to enter into negotiations and execute a Grant of Easement in an amount not to exceed \$10,000.00 and subject to Tribal Council approval with John P. Bull, President of Manistee Orchards, Inc.; and

WHEREAS, the Tribal Ogema entered into negotiations and executed a Grant of Easement subject to the approval of Tribal Council.

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 Tribal Council, pursuant to Article IV, Section 7(c) of the Constitution, has the power to acquire lands which are deemed beneficial to the Tribe; 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 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.


NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby accepts the Grant of Easement dated February 7, 2001 that was executed by the Tribal Ogema, Robert Guenthardt and John P. Bull, President of Manistee Orchards, Inc.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 2 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 February 7, 2001, in Manistee, Michigan, with a quorum being present for such vote.


Charles Fisher, Council Recorder


Attest:


Joan Spalding, Council Speaker

Presentation of Resolution Budget Modification and Appropriating Tribal Funds to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution modifying the Operating Budget for the Tribal Government for Fiscal Year 2001 and appropriating Tribal funds has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: 02/08/01

Signature of Council Recorder: 

Action by the Tribal Ogema: Approved Disapproved (attach comments)

Date: 2/8/2001

Signature of Ogema: 