



Little River Band of Ottawa Indians
1762 U.S. 31 South
Manistee MI 49660
(231) 723-8288

ORIGINAL

Resolution No. #01-0307-08

**Amending Legal Description of "Dontz Farm-Parcel B"
For Trust Acquisition Request**

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 Tribe's Reservation Restoration Plan has identified acquisition of lands for housing and community purposes within the Manistee Reservation as a priority; and

WHEREAS, the Tribe has previously submitted a trust acquisition request for the Dontz Farm-Parcel B, pursuant to Resolution No. #00-1111-03; and

WHEREAS, Resolution No. #00-1111-03 included a legal description for the Dontz Farm Parcel B that conformed to the description included on the Commitment for Title Insurance, which description was presented in different format than the legal description included on the Warranty Deed; and

WHEREAS, the Realty Officer for the Bureau of Indian Affairs' Michigan Agency Office has requested a new Resolution, which includes a legal description for the Dontz Farm-Parcel B that conforms to the Warranty Deed conveying that property to the Tribe; 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, 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 the absence of, the Council Speaker is authorized to represent the Tribe in its relations with other governments or organizations, 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 requests that the United States of America, through the Secretary of the Interior, or his authorized designee, take title to the following described parcels of land in trust for the Little River Band of Ottawa Indians pursuant to the Little River Act, 25 U.S.C. 1300k-4(b), which is a parcel located in Section 21 of Township 22 North, Range 16 West, in Manistee County described as follows:

[Commence at the West quarter corner of said Section 21; Thence South 89 degrees 30 minutes 43 seconds East, along the East/West quarterline, and the North line of Manistee Indian Reserve, a distance of 1799.94 feet to a point 812.00 feet West of the Center of said Section and the point of beginning; Thence continuing South 89 degrees 30 minutes 43 seconds East, along said line, a distance of 812.00 feet to the center of said Section and the North/South quarterline; Thence North 00 degrees 17 minutes 56 seconds East, along said line, a distance of 1315.98 feet to the North line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; Thence South 89 degrees 36 minutes 36 seconds East, along said line, a distance of 1301.16 feet to the East line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; Thence South 00 degrees 05 minutes 23 seconds West, along said line, a distance of 511.52 feet to the North right-of-way line of the abandoned C & O Railroad; Thence South 51 degrees 33 minutes 08 seconds West, along said line, a distance of 2654.32 feet; Thence North 02 degrees 04 minutes 52 seconds West, a distance of 862.73 to the point of beginning.]

Said Parcel contains 41.13 acres.

IT IS FURTHER RESOLVED THAT the Tribal Council requests that the United States of America declare such lands to be a part of the Tribe's Reservation pursuant to 25 U.S.C. 1300k-4(d).

IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes the Tribal Ogema, or in his absence, the Tribal Council Speaker, to convey the above described property to the United States of America in Trust for the Little River Band of Ottawa Indians and to execute any documents necessary to complete that conveyance.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 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 March 7, 2001, in Manistee, Michigan, with a quorum being present for such vote.

Lisa M. McCatty
Lisa M. McCatty, Council Recorder

Attest:

Joan Spalding
Joan Spalding, Council Speaker