

Little River Band of Ottawa Indians

375 River Street
Manistee MI 49660
(231) 723-8288

ORIGINAL

Resolution No. #01-0829 01

Authorizing the Tribal Ogema, or in his absence, the Tribal Council Speaker to Execute an Agreement with Design Plus, Inc. for Architectural Services for the Little River Station Store and Consenting to Have Disputes Resolved in the Commercial Division of the Tribal Court

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 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 authorize and ratify agreements and contracts negotiated by the Tribal Ogema; and

WHEREAS, the Little River Band of Ottawa Indians intends to develop a gas station and convenience store to be located near Little River Casino; and

WHEREAS, the Tribal Council has previously approved a resolution authorizing the Tribal Ogema to sign a contract with Design Plus, Inc. to produce working drawings for the gas station/convenience store project; and

WHEREAS, Tribal representatives have negotiated the final terms of the Agreement with Design Plus, Inc. that includes a dispute resolution under which the parties would attempt to mediate any disputes and by which the Tribe would agree to have disputes resolved in the Commercial Division of the Tribal Courts; and

WHEREAS, Article IX, Section 1 of the Constitution preserves the Tribe's immunity from suit except as authorized by resolution or in furtherance of tribal business enterprises; and

WHEREAS, the Tribal Council has determined that execution of a contract with Design Plus, Inc. 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 an Agreement for Architectural Services (AIA form B151, as modified), dated August 15, 2001, with Design Plus, Inc. for design services for the proposed Little River Station Store.

IT IS FINALLY RESOLVED THAT the Tribal Council consents to the jurisdiction of the Commercial Division of the Tribal Court to resolve disputes with Design Plus, Inc., arising under the Agreement, as provided in Article 12, Section 12.7 of that Agreement.

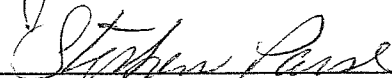
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 1 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 August 29, 2001, in Manistee, Michigan. A quorum of the Tribal Council being present for such vote.



Janine M. Sam, Council Recorder

Attest:



Stephen Parsons, Council Speaker

Distribution: Council Record
Tribal Ogema
Legal Department
Tribal Court
Design Plus, Inc.