



Little River Band of Ottawa Indians

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

Resolution No. #01-1107-13

**Authorizing the Tribal Ogema, or in the absence of, the
Tribal Council Speaker to Execute a First Amendment to the Second
Amended and Restated Management Agreement with Manistee Gaming
L.L.C., and Authorizing the Submission of that Agreement
to the National Indian Gaming Commission**

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, 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 gaming activities on lands held in trust for the Tribe; and

WHEREAS, the Tribe has, since July 1999, conducted Class III gaming operations on its Reservation at an interim gaming facility, known as "Little River Casino Resort"; and

WHEREAS, pursuant to Tribal Council Resolution No. #01-0606-18, the Tribe and Manistee Gaming, L.L.C., have previously entered into a Second Amended and Restated Management Agreement, dated June 7, 2001, which was submitted to the National Indian Gaming Commission; and

WHEREAS, the National Indian Gaming Commission has reviewed that Agreement and requested certain revision to, or clarification of, certain provisions in the Second Amended and Restated Agreement; and

WHEREAS, representatives of the Tribe and Manistee Gaming, L.L.C. in consultation with staff from the National Indian Gaming Commission, have prepared a First Amendment to Second Amended and Restated Management Agreement to address the comments of National Indian Gaming Commission staff, which First Amendment is attached to this Resolution; and

WHEREAS, except as specifically amended in that First Amendment to the Second Amended and Restated Management Agreement, all other terms of the Second Amended and Restated Management Agreement are ratified and confirmed; 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 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.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema, or in the absence of, the Tribal Council Speaker, to execute a First Amendment to Second Amended and Restated Management Agreement, dated November 7, 2001, with Manistee Gaming L.L.C. on behalf of the Little River Band of Ottawa Indians;

IT IS FURTHER RESOLVED that except as provided in that First Amendment, all other terms of the Second Amended and Restated Management Agreement, dated June 7, 2001, are ratified and confirmed.

IT IS FINALLY RESOLVED that the Tribal Council hereby authorizes and directs the Tribal Ogema to submit the First Amendment to Second Amended and Restated Management Agreement to the National Indian Gaming Commission for final review and approval in accordance with IGRA and regulations promulgated thereunder.

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 on November 7, 2001, at the Little River Band Community Center in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder

Attest:



Steven Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
Manistee Gaming, L.L.C.
National Indian Gaming Commission