



**Little River Band of Ottawa Indians**

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

**RESOLUTION NO. #02-0320-03**

**DEDICATING CERTAIN TRIBAL LANDS FOR  
CEMETERY AND RELATED PURPOSES**

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, with property rights secured to it under the 1836 Treaty of Washington (7 Stat. 491) and the 1855 Treaty of Detroit (11 Stat. 621); 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 Little River Band of Ottawa Indians is descended from, and is the political successor to, Grand River Ottawa Bands which were signatories of the 1836 Treaty of Washington (7 Stat. 491), as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(a) of the Tribal Constitution, is invested with the inherent power to govern the conduct of members of the Tribe and other persons within its jurisdiction; and

WHEREAS, the Tribe, as an incident of its inherent sovereignty, is entitled to regulate Reservation lands and the use of Reservation lands by persons within the territorial jurisdiction of the Tribe; and

WHEREAS, certain Tribal lands located in Section 20 and Section 21 of Custer Township in the Mason County portion of the Reservation established for the nine (9) Grand River Ottawa band now constituting the Little River Band of Ottawa Indians have been used for cemetery purposes, including traditional burials; and

WHEREAS, the Tribal Council desires to protect that portion of the above-described lands from future development by dedicating a portion of the Tribal lands described to the above purposes sufficient to protect existing burial sites from development activities, to authorize traditional burials within those lands, and to plan future use of those lands for cemetery purposes; and



WHEREAS, the Tribal Council finds that, in absence of a comprehensive system of Tribal zoning and land-use regulations, there is a need to begin the process of dedicating Tribally-owned lands for particular purposes to facilitate long-range planning by the Tribal government and for Tribal members.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby dedicates the following described Tribal lands for cemetery purposes, including traditional burials for use by the Little River Ottawa Band members and family members.

IT IS FURTHER RESOLVED THAT the lands so reserved for cemetery/burial purposes shall be known as "Biimaadziwin".

IT IS FURTHER RESOLVED THAT the lands dedicated to the purposes described above shall be described as follows:

That portion of the Tribally-owned lands known as the "Pere Marquette River Parcel" located in the NW 1/4 of the SE 1/4 of Section 21, Township 18 North, Range 16 West and the SW 1/4 of the NE 1/4 of Section 21, Township 18 North, Range 16 West, as described on the attached Map, which is incorporated by reference.


IT IS FURTHER RESOLVED THAT the Tribal Ogema shall develop an interim policy for use of this land dedicated to cemetery/burial purposes until such time as final rules can be promulgated. Any interim policy shall prohibit development and other uses which are inconsistent with cemetery/burial purposes and shall take into consideration long term planning which will occur through the development of final regulations.

IT IS FURTHER RESOLVED THAT the Tribal Health Services Director or her designee, in consultation with the Band's Cultural Preservation Committee and Legal Department, is authorized to promulgate rules and regulations as may be necessary to implement this Resolution and is delegated the authority to approve permits authorizing burials on the lands dedicated for cemetery and related purposes.



### Certificate of Adoption

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center in Manistee, Michigan on March 20, 2002, by a vote of 8 For, 0 Against, 0 Abstaining, and 1 Absent. A quorum of the Tribal Council being present for such vote.

  
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Janine M. Sam, Council Recorder

Attest:

  
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Stephen Parsons, Council Speaker

Distribution: Council Records

Tribal Ogema (cc: Health Services Director)

Tribal Court

Legal Department

Natural Resource Commission