



## **Little River Band of Ottawa Indians**

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

### **Resolution No. #02-0320-09**

#### **Authorizing the Tribal Ogema, or in the Absence of, the Tribal Council Speaker to Negotiate Terms for Acquisition of the Newland Academy Property**

WHEREAS, the Band'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 Band 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(a) of the Constitution, has the power to provide for the general welfare of the Band and its members; and

WHEREAS, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Band's Constitution, the Tribal Ogema, or in the absence of, the Tribal Council Speaker, is authorized to represent the Band and manage the economic affairs/enterprises of the Band, in a manner consistent with the Band's 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 Tribal Council, pursuant to Article IV, 7(i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Band and to appropriate such funds for the benefit of the Band and its members; and

WHEREAS, representatives of the owners of the Newland Academy Property have approached representatives of the Band and expressed an interest in the Band acquiring that property, which is located in Section 15 of Manistee Township near the Band housing and casino developments; and

WHEREAS, Tribal Ogema, together with representatives of the Tribal Council have inspected the Newland Academy Property and its associated building, and are recommending that the Band explore the acquisition of that property; and

WHEREAS, the Tribal Council believes that the acquisition of the Newland Academy Property has the potential to afford the Tribe with a unique opportunity to enhance the development of the Band's community and governmental facilities and infrastructure for the Band and its members.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council authorizes the Tribal Ogema, or in the absence of the Tribal Council Speaker, to negotiate the terms of a Purchase Agreement for the Newland Academy Property in consultation with the Band's Legal Department and to bring such Agreements back to the Tribal Council for ratification by resolution.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 1 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band Downtown Offices on March 20, 2002, in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder

Attest:

  
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Stephen Parsons, Council Speaker