



Little River Band of Ottawa Indians

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

Resolution No. #02-0417-10

**Authorizing the Tribal Ogema, or in the absence of, the Tribal Council
Speaker to Execute a Lease Agreement with Daniel Dontz for the
Acquisition of a Temporary Easement
For Construction Vehicles on the Aki Maad Zii Win Project**

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. §130 et seq.)(hereinafter "Little River Act"); 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, the Tribal Council, pursuant to Article IV, Section 7 (a) of the Constitution, has the power to provide for the general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council pursuant to Article IV, Section 7 (d) of the Constitution, has the power to acquire lands or interests in land which are deemed beneficial to the Tribe; 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 Tribe and to appropriate such funds for the benefit of the Tribe and its members; 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, consultants working with the Tribe and the Tribal Housing Commission have identified a need to have alternative access to Tribal lands to support construction activities on the Aki Maad Zii Win community development project; and

WHEREAS, Tribal representatives have previously negotiated a lease agreement with an adjacent property owner which would grant the Tribe a temporary easement for construction traffic and Tribal representatives working on the Aki Maad Zii Win project and the Tribal Council approved this lease agreement for a period of three months beginning September 20, 2001 and ending March 20, 2002; and

WHEREAS, this lease agreement has greatly assisted with the construction of roads at Aki Maad Zii win and construction of twelve elderly houses will begin soon. At this time, the roads have not been completed; and

WHEREAS, it is necessary to enter into another lease agreement with Mr. Dontz. He has agreed to lease the right of way from March 21, 2002 to October 31, 2002 for \$3,000.

WHEREAS, the acquisition of that temporary easement will require an appropriation of \$3,000.00 from the Internal Service Fund's property maintenance account.

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 Speaker to execute a lease agreement with Daniel Dontz to acquire a temporary easement across Dontz' property for use by construction vehicles and Tribal representatives during construction of the roads and other improvements on the Aki Maad Zii Win project.

IT IS FURTHER RESOLVED THAT the Tribal Council approves the appropriation of \$3,000.00 from the General Service Fund to cover the cost of acquiring that easement.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST 1 ABSENT 0, 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 April 17, 2002, in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder

Attest:



Stephen Parsons, Council Speaker