



Little River Band of Ottawa Indians

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

Resolution No. #02-0529-11

Approval of Gaming Facility

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.); and

WHEREAS, the Band 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 and Class III gaming activities on lands held in trust for the Tribe; and

WHEREAS, the Tribe has determined that the establishment and operation of a Class II and Class III tribal gaming enterprise under the IGRA will assist the Tribe in generating the revenues needed to establish an effective tribal government, provide necessary employment opportunities and services for tribal members and promote tribal self sufficiency; and

WHEREAS, the Tribe and the State of Michigan entered into a Tribal/State Compact; and

WHEREAS, on July 15, 1999 the Tribe and North American Gaming Company (now Manistee Gaming, LLC), entered into a Management Agreement (as amended and restated on January 4, 2002) which Agreements were approved by the National Indian Gaming Commission and which authorize Manistee Gaming, LLC to provide management and operation services to the Tribe for the conduct of such gaming enterprise; and

WHEREAS, on March 14, 1999, the Tribal Council, pursuant to Resolution #99-0314-07 established a Class II and Class III Gaming Facility and approved the Little River Casino Resort as a tribal enterprise, for the purpose of operating a Class II and

Class III gaming resort on the Tribe's Reservation under the name "Little River Casino Resort"; and

WHEREAS, pursuant to Resolution #99-0314-07, the Tribal Council approved the use of the Tribal Seal of the Little River Band of Ottawa Indians as the seal of the Little River Casino Resort, or such other design as the Business Board shall designate, but shall include the words "an enterprise of the Little River Band of Ottawa Indians." The seal of the Little River Casino Resort may be used in connection with advertising and marketing of Little River Casino as approved by the Business Board.

WHEREAS, the Tribe has constructed a permanent Gaming Facility which facility is located on the Tribe's Reservations lands located in the NE1/4 of Section 28 in Township 16 West in Manistee County, Michigan, as described on the Master Site Plan approved for such enterprise; and

WHEREAS, the permanent Gaming Facility will be completed on or about May 31, 2002; and

WHEREAS, the Gaming Ordinance requires the Tribe to pass a resolution in conformance with Section 11.04 for the permanent gaming facility.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council authorizes the Gaming Facility.

IT IS FURTHER RESOLVED THAT the revenues of the Little River Casino Resort shall be audited annually and that copies of those audits shall be provided to the Tribal Gaming Commission, the Tribal Council and the National Indian Gaming Commission.

IT IS FURTHER RESOLVED THAT Little River Casino Resort shall comply with all Internal Revenue Service reporting and filing requirements applicable to the operations of the enterprise.

IT IS FURTHER RESOLVED THAT all net revenues from Little River Casino Resort distributed to the Tribe shall be used solely for the purposes stated in Section 9 of the Gaming Ordinance.

IT IS FURTHER RESOLVED THAT all contracts for the lease or purchase of gaming supplies, equipment, services or concessions in excess of \$25,000.00 annually, except contracts for professional, legal and accounting services, shall be subject to the annual audit described above.

IT IS FURTHER RESOLVED THAT the maintenance of Little River Casino Resort facilities and the operation of those facilities shall be conducted in a manner which adequately protects the environment and the public health and safety, and in accordance with the mitigation required by the National Indian Gaming Commission.

IT IS FURTHER RESOLVED THAT all primary management officials and key employees proposed for employment at Little River Casino Resort shall have passed background checks and obtained the appropriate licenses required by the Tribal Gaming Commission prior to the commencement of gaming operations in the facility.

IT IS FURTHER RESOLVED THAT the Tribe's Business Board, Manistee Gaming, LLC, or the General Manager for Little River Casino Resort shall obtain the appropriate gaming facility license required by the Tribal Gaming Commission prior to commencement of gaming operations in the facility.

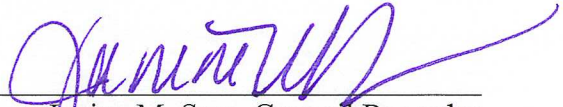
IT IS FURTHER RESOLVED THAT all Principals of Manistee Gaming, LLC having a direct or indirect financial interest in the Management Agreement with the Tribe shall have passed the background checks required by the National Indian Gaming Commission and obtained the licenses required by the Tribal Gaming Commission prior to exercising management responsibilities with respect to gaming operations commenced in the facility.

IT IS FURTHER RESOLVED THAT Little River Casino Resort shall pay such fees to the National Indian Gaming Commission as federal law may require.

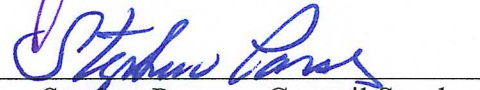
IT IS FURTHER RESOLVED THAT Little River Casino Resort shall comply with the terms of the Tribal/State Gaming Compact entered into with the State of Michigan with respect to all Class III gaming activities conducted at its facility.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on May 29, 2002, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
LR CR