

**Little River Band of Ottawa Indians**  
375 River Street  
Manistee MI 49660  
(231) 723-8288

**Resolution # 02-1009-10**

*Authorizing the Tribal Ogema, or in the Absence of, the Tribal Council Speaker  
to Execute a Purchase Agreement and Other Documents Necessary to  
Complete Acquisition of the Former Railroad Right-of-Way Property  
from John Kasperski, d/b/a Kasperski Oil Company*

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 the 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, a representative of record owner of a portion of the former CSX Railroad right-of-way in Section 29 of Manistee Township, who also claims to possess rights in certain lands owned by the Band in Sections 21 and 29 of Manistee Township, has approached representatives of the Band for the purpose of negotiating terms for the Band's acquisition of his interest in that former railroad right-of-way; and

WHEREAS, Tribal Ogema, in consultation with the Legal Department, has negotiated terms for acquisition of the Kasperski's interest in the former railroad right-of-way and is recommending that the Band acquire of that property on the terms presented in a Purchase and Sales Agreement of Property presented by the Tribal Ogema; and

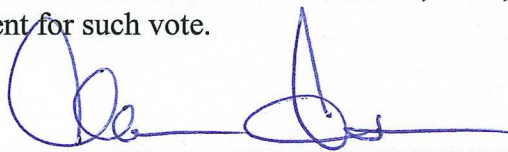
WHEREAS, the Tribal Council believes that the acquisition of Kasperski's interest in the former railroad right-of-way has the potential to afford the Tribe with a unique opportunity to enhance the development of the Band's community facilities at the Aki Maadziiwin development to the benefit of the Band 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 execute the terms of a Purchase and Sales Agreement to acquire Kasperski's interest in the former railroad right-of-way for a purchase price not to exceed \$45,000.00.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the Tribal Ogema, in consultation with the Band's Legal Department, to execute any and all documents as may be necessary to complete the acquisition of this property.

**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, 0 ABSENT, and 1 ABSTAINING, at a Closed Meeting portion of the Regular Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band's Downtown Offices on October 9, 2002, in Manistee, Michigan, with a quorum being present for such vote.



Charles Fisher, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Accounting Dept.  
Legal Department  
Lakeshore Land & Title