



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

Resolution # 02-1009-11

Approving Budget Modification to the Fiscal Year 2002 Operating Budget for the Tribal Government and Appropriating \$55,000.00 from the Gaming Proceeds Account for Due Diligence, Earnest Money Deposit and Other Expenses Associated with the Purchase of John Kasperski d/b/a interest in the Former CXS Railroad Right-of-Way Within and Adjacent to Certain Tribal Lands

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. §1300k 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, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in the absence of, the Tribal Council Speaker, is authorized to represent the Tribe and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal 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 Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Ogema has recommended acquisition of the property interests owned by John Kasperski, d/b/a Kasperski Oil Company, in the former CXS Railroad right-of-way in Sections 29 and 21 in Manistee Township, including the easement which Mr. Kasperski claims encumbers title to the Tribal lands currently being developed for the Aki Maadziwin project; and

WHEREAS, the Tribal Ogema, in consultation with the Tribe's General Counsel, has negotiated the terms of a proposed purchase agreement to acquire Kasperski's interest in the former CXS railroad right-of-way; and

WHEREAS, the acquisition of that property, including the costs of obtaining a title insurance commitment, environmental assessment, survey, and closing costs associated with the acquisition of that property will require an appropriation of up to \$55,000.00 to cover the costs of such activities; and

WHEREAS, the appropriation of \$55,000.00 from the Gaming Proceeds Account to cover the earnest money deposit, due diligence costs, closing costs and purchase price will require a modification of the Operating Budget for Fiscal Year 2002, which was approved on December 19, 2001.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a modification of to the Operating Budget for the Tribal Government for Fiscal Year 2002 to include a supplemental appropriation of \$55,000.00 from the Gaming Proceeds Account to be transferred to the Land Acquisition Account to be used to cover expenses associated with completing the acquisition of the CSX Railroad right-of-way property from John Kasperski.

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, and 0 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

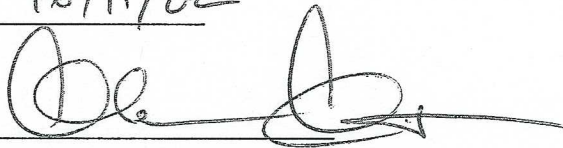
Attest:

Presentation of Resolution Budget Modification and Appropriating Tribal Funds to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution modifying the Operating Budget for the Tribal Government for Fiscal Year 2002 and appropriating Tribal funds has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: 10/11/02

Signature of Council Recorder:



Action by the Tribal Ogema: ☒ Approved ☐ Disapproved (attach comments)

Date: 10/11/02

Signature of Ogema:

