



**Little River Band of Ottawa Indians**

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

**Resolution # 03-0730-224**

*Designation of Tribal Property for Use by the Tribal Utility and Restricting Future Use  
for a Specified Period*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; 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 is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a)(4) to provide for the making, holding and revoking assignments of Tribal property; and

WHEREAS, the Tribe has developed a Tribal Utility which includes a wastewater treatment plant; and

WHEREAS, the Utility Director has notified the Tribal Council that there is a need to have land set aside for the purpose of bio-solids injection which involves taking treated waste sludge from the plant and injecting the sludge into a parcel of land that is flat and does not contain surface water; and

WHEREAS, the Utility Director has notified the Tribal Council that the land would not be usable to grow food for human consumption, but that the process would ultimately enrich the soil itself; and

WHEREAS, the Utility Director has notified the Tribal Council that the land may be utilized within a short period of time after application, but cautions that a longer wait time after the last application would be more appropriate; and

WHEREAS, the Utility Director, in cooperation with the Conservation Department and the Natural Resource Commission, has identified a parcel of land that would be suitable for at least two applications over a one year period which should be sufficient time to allow the Tribe to identify a longer term solution;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby dedicates the property formerly known as 'Dontz Farm-B Property' for the purposes of waste sludge disposal for a two year period, or until the sight can no longer be safely utilized for this purpose. The following restrictions and requirements shall be followed.

1. The Utility Department shall utilize all reasonable processes to extend the available use of the property, including, but not limited to, tilling the property after injection and planting the area.
2. Keeping appropriate journal logs regarding injection, testing and other appropriate notations.
3. Providing notification to the Tribal Council of the date of the last application.

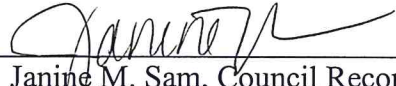
IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs that the property shall not be utilized for a period of two years after the date of the last application. Provided that, the Utility Director and the Conservation Department shall consult on availability of the property for any hunting or trapping activities.

IT IS FINALLY RESOLVED THAT the property description is as follows.

Part of Section 21, Town 22 North, Range 15 West, Manistee Township, Manistee County, Michigan Described as follows: Commence at West quarter corner of said Section 21; Thence South 89 degrees 30 minutes 40 seconds East, along the East/West quarterline, and the North line of Manistee Indian Reserve, ad distance of 1799.94 feet to a point 812.00 feet West of the Center of said Section and the North/South quarterline; Thence North 00 degrees 17 minutes 56 seconds East, along said line, a distance of 1315.98 feet to the Northline of the Southwest 1/4 of the Northeast 1/4; Thence South 89 degrees 36 minutes 36 seconds East, along said line, a distance of 1301.16 feet to the East line of the Southwest 1/4 of the Northeast 1/4; Thence south 00 degrees 05 minutes 23 seconds West, along said line, a distance of 511.52 feet to the North right-of-way line of the abandoned C&O Railroad; Thence South 51 degrees 33 minutes 08 seconds West, along said line, a distance of 2643.32 feet; Thence North 01 degrees 04 minutes 52 seconds West, a distance of 862.73 to the point of the beginning. Containing 41.13 acres, more or less.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 3 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on July 30, 2003, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court  
Legal Department