



**Little River Band of Ottawa Indians**

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

**Resolution # 04-0407-150**

*Authorization of Budget Modification for Legislative Legal Department to Re-Allocate Funds  
within the Professional Fees – Reservation Restoration Project Line*

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 authorized the engagement of Ziontz, Chestnut, Varnell, Berley & Slonim (“Ziontz Chestnut”) to provide legal assistance to the Tribe through the Legal Department for the calendar year 2004 in connection with the Reservation Restoration Project; and

WHEREAS, the final scoping for work related to that project indicate a need to re-allocate funds within that Project from Ziontz Chestnut to other purposes to complete certain work related to examination of the circumstances by which Tribal members lost title to lands within the Tribe’s 1855 Reservation; and

WHEREAS, the Legal Department has requested re-allocation of the \$95,000.00 currently budgeted for work by Ziontz Chestnut to Mid-Michigan Title Company, LLC and Kanji & Katzen, PLLC;

WHEREAS, a budget modification is necessary to be able to make payments to these vendors; and

WHEREAS, the Professional Fees line contains sufficient funds in an existing project to be transferred to this purpose and the Legislative Legal Department is requesting authorization to make this budget modification;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the budget modification of the Legislative Legal Department, Program # 1000-109, Professional Fees Line # 5204 Reservation Restoration Project and the budget narrative in the following manner.

1. \$75,000 – Mid-Michigan Title Company, LLC

This engagement agreement is for the preparation and submission of legal assistance to conduct a title research and legal analysis of title documents for 62 parcels within the 1855 Reservation. The estimated invoiced amount is \$75,000.

2. \$20,000 – Kanji & Katzen, PLLC

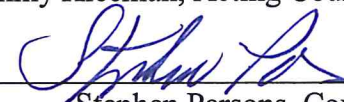
This engagement agreement is for legal consultation with Mid-Michigan Title Company and the Legal Department and analysis of the legal theories that may be available to seek recovery of, or compensation for, lands within the 1855 Reservation. The estimated invoiced amount is \$20,000.

3. \$95,000 – Eliminating Reservation Restoration Project – Ziontz, Chestnut et al line item

**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 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on April 7, 2004, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.

  
\_\_\_\_\_  
Tammy Kleeman, Acting Council Recorder

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court