



Little River Band of Ottawa Indians

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

Resolution # 04-0421-170

*Granting a Temporary Construction Easement to Manistee County Road Commission
Construction on Dontz Road and Authorizing Execution of Documents*

WHEREAS, the status of the *Gaá Čhing 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, pursuant to Article IV, Section 7(d) of the Constitution, has the power to authorize the disposition or encumbrance of Tribal lands or interests in land which are deemed beneficial to the Tribe; and

WHEREAS, pursuant to Article V, Section 5 (a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in the absence of, the Council Speaker is authorized to represent the Tribe in its relations with other organizations, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Manistee County Road Commission requires granting of a right-of-way in order to authorize road improvements of the following parcels of land held in trust by the United States for the Little River Band:

PARCEL 1

Part of the NE $\frac{1}{4}$, Section 29, T22N, R16W, Manistee Township, Manistee County, Michigan, Described as: Commencing at the NE corner of said section, thence Westerly 1444.95 FT. along the North line of said section, thence Southerly 33 FT. to the point of Beginning, thence Southerly 15 FT., thence West 500 FT. parallel to the South Right-of-Way, thence Northerly 15 FT., thence East 500 FT. along the South Right-of-Way to the point of Beginning. Containing 0.17 acres more or less.

PARCEL 2

Part of the SE $\frac{1}{4}$, section 21, T22N, R16W, Manistee Township, Manistee County, Michigan, described as: Commencing at the South $\frac{1}{4}$ corner of said section, thence Easterly 1477.55 FT. along the South line of said section, thence North 33 FT. to the point of Beginning, thence North 15 FT., thence East 200 FT. parallel to the North Right-of-Way, thence South 15 FT., thence West 200 FT. along Right-of-Way to the point of Beginning. Containing 0.07 acres more or less.

PARCEL 3

Part of the NE $\frac{1}{4}$, Section 28, T22N, R16W, Manistee Township, Manistee County, Michigan, described as: Commencing at the North $\frac{1}{4}$ corner of said section, thence Easterly 1477.55 FT. along the North line of said section, thence South 33 FT. to the point of Beginning, thence South 15 FT., thence East 200 FT. parallel to the South Right-of-Way, thence North 15 FT., thence West 200 FT. along Road Right-of-Way to the point of Beginning, containing 0.07 acres more or less.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby grants a temporary Construction Easement to Manistee County Road Commission to construct road improvements of the above-described parcels of land. A more clearly defined description of the temporary Construction Easement will be prepared upon completion of design documents and survey of the improvements.

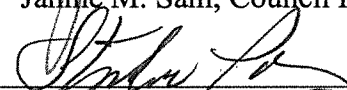
IT IS FINALLY RESOLVED that the Tribal Ogema is authorized to execute any documentation required concerning the road improvement project and grant of a temporary Construction Easement for and on behalf of the Tribe.

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 Session of the Little River Band of Ottawa Indians Tribal Council held on April 21, 2004, at the Little River Band's Dome Room 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