



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660

Resolution # 04-1020-424

*Authorizing Execution of First Amended Escrow Agreement for Funds
Appropriated for "Let Voters Decide - Yes" Ballot Committee Activities*

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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; 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, 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 his/her absence, the Tribal Council Speaker, is authorized to represent the Tribe in its relations with other organizations 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 Resolution #04-0811-336, did authorize execution of an Escrow Agreement establishing an escrow account and appointing Capitol National Bank to serve as Escrow Agent for funds deposited to support the efforts of the "Let the Voters Decide - Yes" Ballot Committee; and

WHEREAS, the members of the Ballot Committee have recognized the need to put commit additional financial resources to fund Ballot Committee activities; and

WHEREAS, the commitment of additional funds by some of the signatories to the Escrow Agreement requires amendment of the Escrow Agreement to reflect additional financial contributions but those members; and

WHEREAS, a First Amended Escrow Agreement has been prepared which includes a new Schedule 3 reflecting the updated financial contributions by some of the Major Donors who are signatories of the Escrow Agreement; and

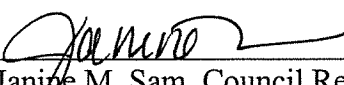
WHEREAS, in all other material respects the terms of the First Amended Escrow Agreement are identical to those of the initial Escrow Agreement.

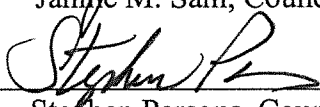
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes execution of the First Amended Escrow Agreement with Capitol National Bank.

IT IS FURTHER RESOLVED THAT in authorizing execution of the First Amended Escrow Agreement, the Tribal Council reaffirms and ratifies its agreement to the terms of the original Escrow Agreement, including the appointment of the Tribe's Designated Agents as provided in Resolution #04-0811-336.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on October 20, 2004, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.


Janine M. Sam, Council Recorder


Stephen Parsons, Council Speaker

Attest:

Distribution: Council Record
Tribal Ogema
Saginaw Chippewa Indian Tribe

MGM Grand Detroit
Capitol National Bank