

Little River Band of Ottawa Indians

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

Resolution # 05-0216-73

Authorizing Execution of an Agreement for Removal of Deed Restrictions

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, the Tribal Council is authorized under Article IV, Section 7(b) to authorize agreements to be entered into by the Tribal Ogema on behalf of the Little River Band and its members; and

WHEREAS, the Ogema has presented an Agreement for Removal of Deed Restrictions drafted by counsel for Phillip Peralta, who owns certain property adjoining the Tribal Community Center; and

WHEREAS, the purpose of the Agreement is to removal of set-back restrictions that impose limits on the development/use of the property owned by Mr. Peralta and the Tribe beyond those that would apply under local zoning laws; and

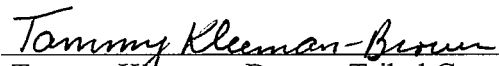
WHEREAS, the Ogema is recommending approval of the Agreement presented as an accommodation to Mr. Peralta and to provide the Tribe with greater development options for its property; and

WHEREAS, the Tribal Council finds that this it is an appropriate and beneficial to agree to remove this building restriction;

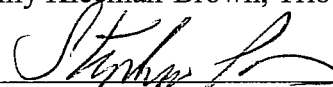
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes execution of an Agreement for Removal of Deed Restrictions with Phillip and Beverly Peralta.

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 Session of the Little River Band of Ottawa Indians Tribal Council held on February 16, 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Tammy Kleeman-Brown, Tribal Councilor



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Phillip Peralta