



Little River Band of Ottawa Indians

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

Resolution # 05-0810-380

Authorizing Execution of a Lease Agreement for the Fin and Feather Trap Net Vessel and Certain Equipment with Thomas Battice

WHEREAS, the status of the *Gaa' 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, pursuant to Article IV, Section 7(a) of the Constitution, has the power and obligation to promote the peace, morals and general welfare of the Tribe, Tribal members and other persons within the jurisdiction of the Tribe; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 has the power to approve the lease or encumbrance of interest in personal property or other assets of the Tribe; and

WHEREAS, the Tribe is the owner of certain vessels and equipment acquired from the State of Michigan under the 2000 Consent Decree entered in *U.S. v Michigan* and with Tribal funds acquired under that same Consent Decree; and

WHEREAS, Tribal member, Thomas Battice, has expressed an interest in leasing the vessel, the "Fin and Feather", and certain equipment owned by the Tribe in furtherance of this efforts to engage in Tribally licensed trap net fishing activities; and

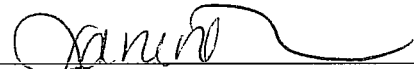
WHEREAS, Mr. Battice has agreed to lease that vessel and equipment under the same terms and conditions previously proposed by the Tribal Ogema for use with other fishers; and

WHEREAS, the Tribal Council finds that the terms of the Lease Agreement presented are reasonable.

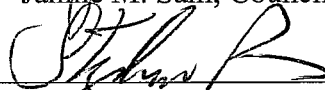
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes execution of the Trap Net/Vessel Lease Agreement with Thomas Battice authorizing Mr. Battice to lease the Fin and Feather and certain trap net equipment.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 4 FOR, 0 AGAINST, 3 ABSTAINING, 1 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 10, 2005, 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
Tommy Battice