



## Little River Band of Ottawa Indians

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

### Resolution # 05-1109-581

*Authorization to Send Notice of Liquidated Damages for South Hotel Wing Regarding  
Phase II of the Little River Casino Resort Construction Project*

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 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 authorized the Little River Casino Resort Expansion Project which involved increasing the number of hotel rooms and entertainment/conference space, among other things; and

WHEREAS, the Tribal Council authorized entering into a loan agreement to fund the Expansion Project; and

WHEREAS, the Tribal Council created the Development Committee, and then re-authorized the committee through the Development Committee - 2005 Resort Expansion Act, and granted it certain authorities; and

WHEREAS, the Tribal Council ratified the construction manager contract with Christman-Kraus Anderson, a joint venture, who was aware of the desire to split the project into two phases and that bidding on both phases would be required; and

WHEREAS, the Development Committee recommended that the Tribal Council authorize notice being sent to Christman-Kraus Anderson regarding the Tribe's intention to assess liquidated damages for failure to complete project in a timely manner; and

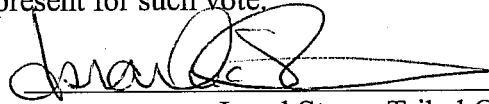
WHEREAS, the Development Committee is requesting the Tribal Council authorize a formal notice be sent to Christman-Kraus Anderson and has presented a proposed notice letter; and

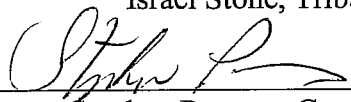
WHEREAS, the Tribal Council has reviewed the proposed correspondence and believes that it is in the best interests to issue such formal notice;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Development Committee to send the "Liquidated Damages for South Hotel Wing" letter to Christman-Kraus Anderson.

**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, 1 ABSENT, and 1 VACANT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on November 9, 2005, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.

  
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Israel Stone, Tribal Councilor

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court