



**Little River Band of Ottawa Indians
Tribal Council**

2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #16-0406-100

Requesting Federal Trust Status for Five Parcels of Land in Manistee County

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, Article 1, Section 1 of the Constitution describes the Tribe's territory as encompassing all lands which are now or hereinafter owned by or reserved for the Tribe, including the Manistee Reservation in Manistee County and all lands which are now or at a later date owned by the Tribe or held in trust for; and

WHEREAS, Article IV, Section 7(c) and (d) of the Constitution empowers the Tribal Council with authority to acquire and to approve disposition of interests in land; and

WHEREAS, the Tribe has acquired fee title ownership of both surface and sub-surface rights to the following five real estate parcels depicted on the attached map: Parcel 2016-A, 3514 Jebavy acquired 8/01/2006; Parcel 2016-B, 3511 Jebavy acquired 8/01/2006; Parcel 2016-C, 2401 Schoedel Rd (Wissner) acquired 1/04/2010; Parcel 2016-D, 4500 Orchard Highway acquired 1/04/2010; Parcel 2016-E, North US 31 Vacant Lot acquired 8/20/2015; together these properties are consolidated into the Request to the Secretary of the Interior for Trust Status dated April 6th, 2016 (April 6th, 2016 Requested); and

WHEREAS, the described land included within the April 6 2016 Request is located within the mandatory acquisition area and contiguous to existing trust land in Manistee County and also is within the Manistee Reservation designated for the Little River Band described in Article Second of the 1836 Treaty of Washington (7 Stat. 491); and

WHEREAS, the proposed use of the land described and included within the April 6, 2016 Request is non-gaming related; and

WHEREAS, both P. 103-324 [AS codified at 25 U.S.C. 1300k -4(b) and the Indian Reorganization Act (specifically, 25 U.S.C. 465) authorize acquisition of the land described and included within the April 8, 2015 Request; and this land qualifies for acceptance into federal trust status pursuant to 25 C.F.R. 151.3(a) (1),(2) and (3) because it is within the existing trust land, because it is unrestricted land already owned by the Tribe, and because acquisition of the land is necessary to facilitate tribal self-determination and economic development; and

WHEREAS, THE Tribal Council finds that acquisition of these parcels into federal trust is necessary to facilitate tribal self-determination and economic development;


NOW THEREFORE IT IS RESOVED that the Tribe requests the Secretary of the Interior to approve and accept into federal trust status the land described and included in this resolution; and.

IT IS FURTHER RESOLVED, that the Tribal Council authorizes a limited waiver of immunity for actions on specific performance of this agreement in [the Little River Band of Ottawa Indians Tribal Court], provided that such waiver does not authorize actions for damages beyond specific performance.

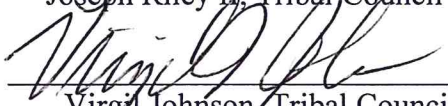
IT IS FURTHER / FINALLY RESOLVED, that the Tribal Ogema is authorized to execute applicable conveyance documents that may be required by the Bureau of Indian Affairs pursuant to the Secretary's delegated authority, including executing deeds conveying the Tribes ownership to the United States to be held in trust for the Tribe.

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 April 6, 2016, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Joseph Riley II, Tribal Council Recorder



Virgil Johnson, Tribal Council Speaker

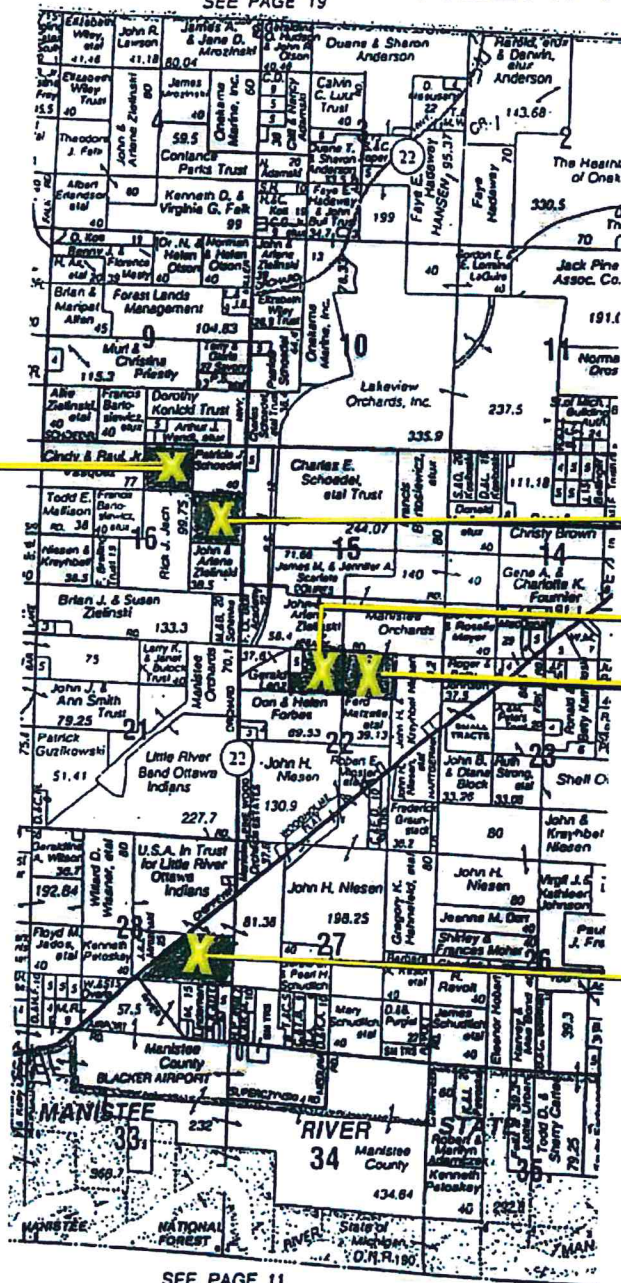
Attest:

Distribution: Council Records
Tribal Ogema

PROPERTY #	ADDRESS/COMMON NAME	ACRES	Tax Value	Taxes
51-07-122-002-00	3511 JEBAVY ROAD	40.00	34,000	789.82
51-07-122-008-00	3614 JEBAVY ROAD	35.00	30,600	710.82
51-07-116-002-00	2401 SCHOEDEL RD - Wissner	40.00	34,000	2,695.04
51-07-116-004-00	4500 ORCHARD HIGHWAY	39.30	33,400	2,647.24
51-07-128-016-00	Vacant Lot US 31	37.31	58,500	2,473. 90

T.22N.-F

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