



Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #16-1109-338

*Adopting Land-Use Guidelines for Tribal Lands, Designating Certain Tribal Lands as
"RESTRICTED" to Non-member and Member Use*

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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is empowered by Article IV, Section 7(a) of the Constitution to establish laws through the enactment of ordinances and adoption of resolutions; and

WHEREAS, the Tribal pursuant to Article IV, Section 7(a) of the Tribal Constitution, is invested with the inherent power to govern the conduct of members of the Tribe and other persons within its jurisdiction; and

WHEREAS, Tribal lands have been designated for public uses and purposes, including: the Little River Casino Resort and Tribal Governmental Offices; and

WHEREAS, certain Tribal lands have been opened for camping, hunting, trapping, gathering, and fishing activities by Tribal members; and

WHEREAS, the Tribal Council did, adopt Ordinance #00-1212-08 imposing certain interim land-use restrictions, pursuant to Resolution #00-1006-01; and

WHEREAS, the Tribal Council finds there is a need to establish land-use restrictions on Tribal lands, and that in addition to a general prohibition of non-member use, or access to Tribal lands, restricting access to the tribal membership on certain Tribal lands designated for economic development is also necessary to protect the public welfare, peace and safety of the Tribe and Tribal members; and

WHEREAS, the Tribal Council wishes to reaffirm the land use restrictions adopted in Ordinance #00-1212-08, which outlines the categories of "OPEN" and "CLOSED" and further protects certain land by designating it "RESTRICTED".

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby adopts and extends the following land use regulations for Tribal lands held in trust for, or owned in fee by, the Little River Band of Ottawa Indians:

Designation of "RESTRICTED" Areas. The following lands held in trust for, or owned in fee by, the Little River Band of Ottawa Indians, are declared to be "RESTRICTED" to the general public and membership of the Little River Band of Ottawa Indians:

All property in Muskegon County comprised of seven parcels including (Legal Descriptions of the Property found in Attachment A):

a) *Odeno.* The approximately 120 acres located in Fruitport Township in Muskegon, Michigan bounded on the west by South Sheridan Road and Stephens Creek to the east. North and south boundaries are privately owned parcels.


b) *Race Track Parcels* (otherwise known as Great Lakes Downs). The approximately 147 acres located in Fruitport Township in Muskegon, Michigan bounded on the west by Harvey Road, with the eastern boundary being I-96 and Quarterline. Northern boundary is private land while the southern boundary, across Ellis Road, is also bordered by private holdings. Commonly known as 4800 Harvey Street, Fruitport, Michigan

c) *Blueberry Field Parcels.* The approximately 35.1 acres located in Fruitport Township in Muskegon, Michigan bounded on the west by Harvey Road, with the eastern boundary being I-96 and Quarterline. Northern boundary is private land while the southern boundary, across Ellis Road, is also bordered by private holdings.

There is no camping, hunting, trapping, gathering, fishing or hiking allowed by anyone on "RESTRICTED" property.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 2 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Open Session Meeting of the Little River Band of Ottawa Indians Tribal Council held on November 9, 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
Natural Resources Department
Department of Public Safety

Attachment A

Legal Description of "Race Track Parcel"

Parcel 1: Parcel in the Southwest 1/4 of Section 15, Town 9 North, Range 16 West, described as follows: Commencing at the Southwest corner of Section 15, thence South 88 degrees 32 minutes 02 seconds East along the South line of Section, 50.00 feet; thence North 00 degrees 56 minutes 04 seconds East, parallel with the West line of said Section 33.00 feet for point of beginning; thence North 00 degrees 56 minutes 04 seconds East parallel with the West line of Section 15, 1717.00 feet; thence South 88 degrees 32 minutes 02 seconds East parallel with the South line of Section 15, 1250.00 feet; thence South 39 degrees 45 minutes 06 seconds East 997.02 feet; thence South 00 degrees 56 minutes 04 seconds West parallel with the West line of Section 15, 967.00 feet to a point being 33 feet North of the South line of said Section; thence North 88 degrees 32 minutes 02 seconds West 1900.00 feet to the point of beginning.

Parcel 2: Parcel in the Southwest 1/4 of Section 15, Town 9 North, Range 16 West, described as follows: Commencing in the Southwest corner of Section 15, thence North 00 degrees 56 minutes 04 seconds East along West line of said Section, 1750.00 feet; thence South 88 degrees 32 minutes 02 seconds East parallel with the South line of said Section, 50.00 feet for point of beginning; thence North 00 degrees 56 minutes 04 seconds East parallel with the West line of Section 834.10 feet to a point lying 75 feet South of the East-West 1/4 line of said Section; thence South 89 degrees 10 minutes 35 seconds East parallel with the East-West 1/4 of said Section 130.22 feet; thence South 32 degrees 51 minutes 59 seconds East 135.20 feet to a point being 75 feet Westerly, measured at right angles and parallel to the survey reference line of Ramp B; thence South 00 degrees 49 minutes 25 seconds West parallel with survey reference line of said Ramp B; 52.51 feet to a point of curvature; thence on a curve to the left, an arc distance of 563.92 feet, to a point of tangency (said curve data being: Delta = 90 degrees 00 minutes 00 seconds, radius = 359.00 feet, long chord = 507.70, long chord bearing = South 44 degrees 10 minutes 35 seconds East, T = 359.00 feet); thence South 89 degrees 10 minutes 35 seconds East 167.73 feet to a point of curvature; thence along a curve to the right, an arc distance of 618.26 feet, to a point of tangency (said curve data being: Delta = 47 degrees 38 minutes 38 seconds, radius = 743.51 feet, long chord = 600.60 feet, long chord bearing = South 65 degrees 21 minutes 16 seconds East, T = 328.27 feet); thence South 41 degrees 31 minutes 57 seconds East along the Southwesterly right of way line of said Ramp "B" as described in Liber 713, Page 848, Muskegon County Records, a distance of 407.84 feet; thence South 40 degrees 15 minutes 20 seconds East (South 40 degrees 16 minutes 20 seconds East, as surveyed) along the southwesterly right of way line of I-96 a distance of 1073.68 feet to a point of curvature; thence along a curve to the left, being 100 feet Southwesterly as measured at right angles and parallel with a survey reference line as described in Liber 724, Page 792, Muskegon County Records, a distance of 483.30 feet (483.29 feet, as surveyed) to a point on the North-South 1/4 line of said Section 15 (said curve data being Delta = 2 degrees 23 minutes 44.1 seconds (2 degrees 23 minutes 44 seconds, as surveyed), radius = 11559.16 feet, long chord = 483.26 feet, long chord bearing = South 41 degrees 28 minutes 12 seconds East, T = 241.68 feet), thence South 00 degrees 57 minutes 50 seconds West along the North-South 1/4 line of said Section 15, 345.59 feet to a point being 33 feet North of the South line of said Section; thence North 88 degrees 32 minutes 02 seconds West parallel with the South line of said Section 691.36 feet; thence North 00 degrees 56 minutes 04 seconds East parallel with the West line of said

Section 967.00 feet; thence North 39 degrees 45 minutes 06 seconds West 997.02 feet; thence North 88 degrees 32 minutes 02 seconds West parallel with the South line of said Section 1250.00 feet to the point of beginning.

Excepting therefrom the following described property:

Parcel in the Southwest 1/4 of Section 15, Town 9 North, Range 16 West, Fruitport Township, Muskegon County, State of Michigan, described as follows: Commencing at the Southwest corner of Section 15; thence North 00 degrees 56 minutes 04 seconds East along West line of said Section 1750.00 feet; thence South 88 degrees 32 minutes 02 seconds East parallel with the South line of said Section 50.00 feet for point of beginning; thence North 00 degrees 56 minutes 04 seconds East parallel with the West line of Section 834.10 feet to a point lying 75 feet South of the East-West 1/4 line of said Section; thence South 89 degrees 10 minutes 35 seconds East parallel with the East-West 1/4 of said Section 130.22 feet; thence South 32 degrees 51 minutes 59 seconds East 135.20 feet to a point being 75 feet Westerly, measured at right angles and parallel to the survey reference line of Ramp "B"; thence South 00 degrees 49 minutes 25 seconds West parallel with survey reference line of said Ramp "B", 52.51 feet to a point of curvature; thence on a curve to the left, an arc distance of 563.92 feet, to a point of tangency (said curve data being: Delta = 90 degrees 00 minutes 00 seconds, radius = 359.00 feet, long chord = 507.70, long chord bearing = South 44 degrees 10 minutes 35 seconds East, T = 359.00 feet); thence South 89 degrees 10 minutes 35 seconds East 70.00 feet; thence South 00 degrees 49 minutes 25 seconds West a distance of 317.23 feet; thence North 88 degrees 32 minutes 02 seconds West, a distance of 635.87 to the point of beginning.

Commonly known as: 4800 Harvey Street, Fruitport, Michigan.

Legal Description of "Blueberry Field Parcel"

Parcel 1: Part of the Northeast 1/4 of Section 22, Town 9 North, Range 16 West, described as follows: Commencing in the East 1/4 corner of said section for point of beginning; thence North 88 degrees 01 minutes 06 seconds West 1637.41 feet along the East and West 1/4 line to a point being 297.00 feet Westerly of Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 22; thence North 01 degrees 58 minutes 54 seconds East 433.00 feet; thence North 88 degrees 01 minutes 06 seconds West 810.41 feet; thence South 01 degrees 58 minutes 54 seconds West 433.00 feet to the East and West 1/4 line of said Section; thence North 88 degrees 01 minutes 06 seconds West along said 1/4 line 233.00 feet to the North and South 1/4 line of said section; thence North 01 degrees 39 minutes 48 seconds East along said 1/4 line 1566.70 feet; thence South 88 degrees 08 minutes 51 seconds East parallel to the North line of said section 312.00 feet; thence North 01 degrees 39 minutes 48 seconds East 422.50 feet; thence South 88 degrees 08 minutes 51 seconds East 170.00 feet; thence North 01 degrees 39 minutes 48 seconds East 495.00 feet to the Southwesterly right of way line to Highway I-96 said point lies Northeasterly of a line 100.00 feet Southwesterly of, measure at right angles and parallel to the survey reference line of the Southbound roadway of Highway US-16 (now I-96); thence Southeasterly along said right of way line on the arc of a 11,565.16 foot radius curve to the left a distance of 887.00 feet (the long chord of bears South 46 degrees 54 minutes 53 seconds East 886.78 feet); thence South 49 degrees 06 minutes 43 seconds East along said right of way 1971.26 feet to the East line of said Section 22;

thence South 01 degrees 03 minutes 16 seconds West along said East line 665.47 feet to point of beginning. The East, South and West 33.00 feet thereof to be used for road purposes.

Parcel 2: Also that part of the South 1/2 of the Northeast 1/4 of Section 22, Town 9 North, Range 16 West, described as follows; Commencing at the East 1/4 corner of said section; thence North 01 degrees 03 minutes 16 seconds East along the East line of said section 1056.14 feet to the Northeasterly right of way line of Highway I-96 for point of beginning; thence North 49 degrees 06 minutes 43 seconds West along said right of way line 423.47 feet to the North line of the South 1/2 of the Northeast 1/4 of said Section 22; thence South 88 degrees 04 minutes 58 seconds East along said North line 325.22 feet to the East line of said section; thence South 01 degrees 03 minutes 16 seconds West along said East line 266.36 feet to the point of beginning. The East 33.00 feet thereof to be used for road purposes.

Parcel 3: The West 312 feet of the North 660.00 feet of the Northwest 1/4 of the Northeast 1/4 of Section 22, Town 9 North, Range 16 West. The West 33 feet and the North 49.50 feet reserved for road.

Legal Description of "Odeno"

The subject property consists of two separate tax parcels, both situated in the Section 26, T9N, R16W, in Fruitport Charter Township. These parcels may be subject to customary utility easements, road right-of-way along Sheridan Road, and unimproved Parr Road running east-west, between the two parcels.

Parcel #61-15-126-100-0003-00:

FRUITPORT CHARTER TOWNSHIP, Muskegon County, Michigan:

Section 26 T9N R16W: The South 1/2 of the North 1/2 of the Northwest 1/4; also the Southwest 1/4 of the Northwest 1/4

Parcel #61-15-126-300-000 1-00:

FRUITPORT CHARTER TOWNSHIP, Muskegon County, Michigan:

Section 22 T9N R16W: The Northwest 1/4 of the Southwest 1/4