



## Little River Band of Ottawa Indians

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

Moved to  
Open Session  
05/01/19

### Resolution #19-0501-115

*Authorizing Execution of "Easement for Electric Facilities" Document Granting an Easement to Consumers Energy to Install and Maintain an Underground Electrical Service Line to the Bear Lake Highlands Golf Course Garage*

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 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 under Article IV, Section 7(d) of the Constitution has the exclusive authority to approve any disposition or encumbrance of Tribal lands or interests in land; and

WHEREAS, Consumers Energy requires an easement in order to make necessary modifications to provide a needed upgrade in service to the Bear Lake Highlands Golf Course; and

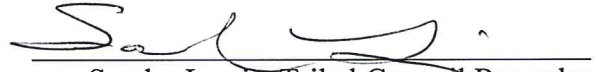
WHEREAS, the Tribal Council has determined that granting an easement to Consumers Energy for this purpose will support the proper functioning of the Little River Casino Resort and is therefore in the interests of the Tribe; and

WHEREAS, the Tribal Council finds that this is an appropriate government activity;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes execution of an easement granting Consumers Energy a perpetual easement allowing Consumers Energy the right to enter Tribal Lands under the conditions specified in the "Easement For Electric Facilities" document.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 1 AGAINST, 2 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 1, 2019, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
Sandra Lewis, Tribal Council Recorder

  
Joseph Riley II, Tribal Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court