

Resolution No. #95-1102-03

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WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.) (hereinafter "Little River Act"; and

WHEREAS, the Tribe is entitled to the protections and benefits accorded federally-recognized Indian tribes under federal law, including those under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. §2701 et seq.) (hereinafter "IGRA"), which permits Indian tribes to operate Class III gaming activities on lands held in trust for the Tribe pursuant to a tribal-state compact entered into for that purpose; and

WHEREAS, the Tribe intends to purchase real property in either Manistee or Mason Counties, Michigan pursuant to Section 6(b) of the Little River Act (25 U.S.C. §1300-4(b)), and petition the Secretary of the Interior (the "Secretary") to take such property in trust for the benefit of the Tribe; and

WHEREAS, the Tribe seeks to provide employment, and to improve the social, economic, education, and health of its members; and

WHEREAS, the Tribe has determined that the establishment and operation of a tribal gaming enterprise under the IGRA will assist the Tribe generate the revenues needed to establish an effective tribal government, provide necessary employment opportunities services for tribal members and promote tribal self-sufficiency; and

WHEREAS, the Tribe does not presently possess sufficient technical and financial expertise to develop and manage a Tribal Gaming Enterprise and has determined that employment of a firm with the necessary management and development expertise will assist the Tribe in meeting the above goals; and

WHEREAS, North American Gaming has the requisite expertise and is capable of assisting the Tribe in obtaining the financing needed to develop, construct, manage, operate and maintain a high quality tribal gaming enterprise; and

WHEREAS, the members of the Tribal Economic Development Committee, who were charged with the responsibility of screening potential management companies and reporting its findings to the Tribal Council have recommended that the Tribal Council negotiate

a letter of intent with representatives of North American Gaming;
and

WHEREAS, the Tribal Council, pursuant to Article VII, Section 1. (f) of the Constitution and Bylaws of the Little River Band of Ottawa Indians ("Tribal Constitution"), is authorized to manage the economic affairs of the Tribe; and

WHEREAS, the Tribal Chairman, pursuant to Article IV, Section 11 (f) (2) of the Tribal Constitution, is authorized to represent the Tribe in its relations with other organizations, in a manner consistent with the Tribal Constitution;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes Chairman Robert Guenthardt to represent the Tribe and to negotiate and execute a letter of intent with representatives of North American Gaming, which letter will outline the respective parties' rights and duties in completing the steps necessary for establishment of a Tribal Class III Gaming Facility. Provided, However That any agreements, including loan agreements and management agreements, which require the Tribal Government to waive its sovereign immunity will not be effective until the same are specifically authorized by subsequent Tribal Council Resolution.

Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at a special meeting held on November 5, 1995 by a vote of 6 in favor, 0 opposed, 0 abstentions and 1 absent. A quorum of the Tribal Council being present for such vote.

Date: 11/12/95

Bonnie L. Kenny
Anne Avery, Secretary
BONNIE KENNY, TREASURER AND
ACTING SECRETARY