



Little River Band of Ottawa Indians

PO Box 314
Manistee MI 49660-0314
(616) 723-8288

Resolution No. #98-1213-08

**Authorizing the Tribal Council Chairperson/Speaker
to Execute a Letter Agreement with the Great Lakes Fishery
Trust Lands Corporation and Other Documents Necessary to
Complete the Acquisition of the "Consumers Power" Properties Optioned
Under the Terms of the Ludington Pumped Storage Plant Settlement**

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 Tribal Council and Tribal membership has determined that restoration of the Tribe's historic reservation land base and other lands within the Tribe's historic territory is a critical priority;

WHEREAS, the Congress of the United States has recognized the Tribe's historic claim to Reservation lands in Manistee and Mason Counties in Michigan, as well as the Tribe's traditional ties to other Counties in Michigan; and

WHEREAS, the Tribal Council has adopted a Reservation Restoration Plan to guide land acquisition efforts by the Tribe and the Secretary of the Interior; and

WHEREAS, the Tribe's Reservation Restoration Plan establishes as a priority, the acquisition of lands for community development purposes and for the purpose of protecting and preserving the natural resources Tribe's reserved by Treaty; and

WHEREAS, the Tribe, pursuant to the terms of the Ludington Pumped Storage Plant Settlement Agreement – Courts and Non-FERC Agencies, dated February 27, 1995 ("Settlement Agreement"), has an exclusive option to purchase certain parcels of land ("the Properties"), described on the attached Schedule A, within the Manistee Reservation; and

WHEREAS, the Tribe desires to exercise its option and proceed with the purchase such properties from the Great Lakes Fishery Trust Land Corporation for the sum of \$656,067.50, exclusive of closing costs, in accordance with the terms of the Settlement Agreement; and

WHEREAS, the Great Lakes Fishery Trust Lands Corporation has proposed a "Side Letter Agreement" to supplement and clarify certain aspects of the Settlement Agreement relating the exercise of the option to purchase; 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 Tribal Council, pursuant to Article IV, Section 7(c) of the Constitution, has the power to acquire lands which are deemed beneficial to the Tribe; and

WHEREAS, the Tribe's Plan for the use and distribution of its share of the judgment funds for Dockets 18-E, 58 and 364, is required to use a portion of such funds for the purpose of acquiring the Properties; and

WHEREAS, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in his/her absence, the Council Chairperson/Speaker is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Tribal Council finds that the terms of the proposed "Side Letter Agreement" are consistent with the terms and intention of the Settlement Agreement and will facilitate the completion of the purchase of the Properties.

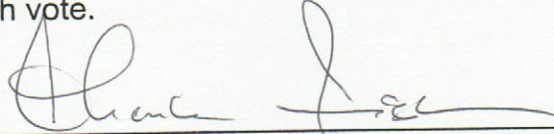
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Chairperson/Speaker, Robert Guenthardt, to execute the Side Letter Agreement with the Great Lakes Fishery Trust Lands Corporation on behalf the Tribe and any other documents necessary to complete the purchase of the Properties at a date and time mutually agreeable to the Tribe and Great Lakes Fishery Trust Lands Corporation representatives.

IT IS FURTHER RESOLVED THAT the Tribal Council directs the Tribal Attorney to approve all documents prior to the closing and to represent the Tribe at Closing.

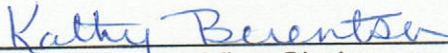
SERVING KENT, LAKE, MANISTEE, MASON, MUSKEGON, NEWAYGO,
OCEANA, OTTAWA AND WEXFORD COUNTIES
FAX (616) 723-8761

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 0 AGAINST, 1 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 13, 1998, in Manistee, Michigan, with a quorum being present for such vote.



Charles Fisher, Council Secretary/Recorder



Attest:

Kathy Berentsen, Vice-Chairperson