



Little River Band of Ottawa Indians

PO Box 314

Manistee MI 49660-0314

(616) 723-8288

RESOLUTION NO. #99-0306-02

**CONSENTING TO GRANT OF EASEMENT FOR UNDERGROUND
ELECTRIC LINE ACROSS AND UNDER 187.84 ACRE MANISTEE ORCHARD
PROPERTY NORTH OF DONTZ ROAD BEING PURCHASED BY TRIBE
UNDER LAND CONTRACT**

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(b) of the Constitution of the Little River Band of Ottawa Indians ("Tribal Constitution"), has the power to authorize and ratify agreements and contracts negotiated on behalf of the Tribe with the federal government; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(d) of the Tribal Constitution is authorized to approve any sale, disposition, lease or encumbrance of Tribal lands or interests in lands; and

WHEREAS, the Tribal Council did, pursuant to Tribal Council Resolution No. #98-0415-01, authorize the land contract purchase from, and lease-back to, a certain 187.84 acre parcel of land from Manistee Orchards, Inc; and

WHEREAS, Consumers Energy requires an easement in order to construct an underground electric line to serve the Tribe's gaming facilities and related developments on the Tribe's lands; and

WHEREAS, the Tribe's interest in certain lands upon which a portion of that easement will be located is that of a Land Contract Vendee/Lessor to Manistee Orchards, Inc.; and

WHEREAS, Consumers Energy has proposed entering into an easement agreement with Manistee Orchards, Inc., for the following lands of Little River Band of Ottawa:

A ten (10) foot wide strip of land, being five (5) feet on each side of each such lateral line on the edge(s) of the following described parcel referred to as the Manistee Orchard-C Parcel:

That part of Section 21, Township 22 North, Range 16 West lying Southeasterly of the Manistee and Northeastern Railroad right-of-way, also known as the C & O Railroad

and

WHEREAS, the Land Contract and Lease agreements entered into between the Tribe and Manistee Orchards, Inc., requires that the grant of easement by Manistee Orchards, Inc., to Consumers Energy be approved in writing by the Tribe; and

WHEREAS, the Tribal Council has determined that the approval of the easement requested by Consumers Energy will benefit the Tribe and its members.

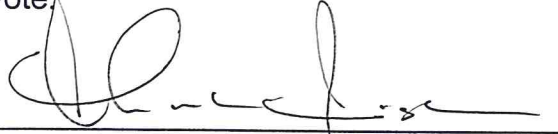
NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby approves and consents to the grant of an easement by Manistee Orchards for Consumers Energy for underground electric lines on and under the above parcel of land. A more clearly defined description will be provided on the completed Survey and Construction Map provided by Consumers Energy.

IT IS FURTHER RESOLVED, that the Tribal Ogema, or in his absence, the Tribal Council Speaker, is authorized to execute any documentation required concerning the easement and service lines, for and on behalf of the Little River Band of Ottawa Indians.

CERTIFICATE OF ADOPTION


This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at a Special Session called for this purpose on March 6, 1999, by a vote of 1 in favor, 0 opposed, 0 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.

Date: 3/6/99



Charles Fisher, Council Recorder

Attest:


Kathy Berentsen, Councilor