

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS  
7500 Odawa Circle  
Harbor Springs, MI 49740

**RESOLUTION # 041804-03**  
**Request for Trust Acquisition**

**WHEREAS** the Secretary of the Interior is authorized to accept land into trust for the Little Traverse Bay Bands of Odawa Indians (“LTBB” or “Tribe”) under the Indian Reorganization Act, 25 U.S.C. § 465, and 25 U.S.C. § 1300k-4(c) within the service area of the Tribe as set out at 25 U.S.C. § 1300k-2(b)(2);

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians possesses clear title in fee by virtue of the warranty deed recorded at Liber 938 Page 466, Cheboygan County Register of Deeds to the parcel described in that deed which it intends to transfer to the United States in trust for the Tribe. The parcel is Situated in the Village of Mackinaw City, Cheboygan County, Michigan:

*[The Legal Description is contained in the warranty deed recorded at Liber 938 Page 466, Cheboygan County Register of Deeds, which is attached and incorporated into this Resolution as Exhibit A]*

**WHEREAS** LTBB’s right for commercial and subsistence fishing within the Great Lakes and connecting waters ceded in the 1836 Treaty of Washington (7 Stat. 491) was affirmed by the Federal Court in *United States v. Michigan*, 471 F.Supp. 192 (W.D.Mich. May 07, 1979), order modified by 653 F.2d 277 (6th Cir.(Mich.) Jul 10, 1981), cert. den. 454 U.S. 1124,(Dec 14, 1981);

**WHEREAS** LTBB’s reserved treaty fishing rights as confirmed in *United States v. Michigan* are of essential cultural, legal, spiritual, physical, governmental and economic significance to the Tribe;

**WHEREAS** LTBB’s purposes for obtaining the above described parcel are to support Treaty fishing, develop the Tribe’s economy and enhance Tribal self-government by operating a fish processing, retailing and wholesaling business that will purchase fish from the Tribal fishers licensed by LTBB and the other 1836 Treaty tribes and provide docking access;

**WHEREAS** for the reasons stated above trust acquisition of this parcel meets the criteria set out in 25 CFR part 151 because the Tribe already owns an interest in the land, and the acquisition of the land is necessary to facilitate tribal self-determination, and economic development;

**THEREFORE BE IT RESOLVED** that the Little Traverse Bay Bands of Odawa Indians requests that the Secretary of the Interior accept the above described parcel in trust for the Little Traverse Bay Bands of Odawa Indians.

**Certification**

As Tribal Chairman and Tribal Secretary, we certify that this Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on April 18, 2004 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
Regina Bentley	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Frank Ettawageshik	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Frederick Harrington, Jr.	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Beatrice Law	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Dexter McNamara	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Rita Shananaquet	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Alice Yellowbank	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Date: \_\_\_\_\_

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Frank Ettawageshik, Tribal Chairman

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Dexter McNamara, Tribal Secretary