

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

TRIBAL RESOLUTION # 012410-01

Authorization for Execution of PNC Bank Loan Documents

WHEREAS the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance;

WHEREAS the Little Traverse Bay Bands of Odawa Indians ("LTBB" or "Tribe") is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS by Resolution 120609-01 the Tribal Council authorized the refinance of the Loan from National City Bank (now PNC Bank, National Association) (the "Bank") for the 7500 Odawa Circle building in the amount of approximately \$2,383,166.73 and the negotiation of loan documents;

WHEREAS the following documents have been developed to implement the refinance:

1. Notification and Control Agreement,
2. Pledge Agreement,
3. Amended and Restated Commercial Note;

(such documents collectively the "Loan Documents"), copies of which Loan Documents have been reviewed by members of the Tribal Council;

THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council: (i) hereby approves the execution, delivery and performance under the Loan Documents, in substantially the form presented to the Tribal Council; (ii) authorizes Kenneth J. Harrington, as Tribal Chairman and John Bott, as Tribal Treasurer, by and on behalf of the Tribe, to execute the Loan Documents and deliver the Loan Documents to the Bank, in substantially the form presented to the Tribal Council subject to such minor non-substantive changes as the Tribal Chairman may approve, together with such other documents and certificates required in connection with the Loan Documents and approved by the Tribal Chairman, and to take all other actions consistent with this resolution and necessary to consummate the Bank financing; and (iii) authorizes the limited waiver of sovereign immunity as expressly set out in the Loan Documents.

CERTIFICATION

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal 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 January 24, 2010 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Marvin Mulholland	X			
Belinda Bardwell	X			
Melvin L. Kiogima	X			
Gerald V. Chingwa	X			
Rita Shananaquet	X			
Aaron Otto	X			
John Bott	X			
Regina Gasco Bentley	X			
Julie Shananaquet	X			

Date: 1-24-10

 Julie A. Shananaquet, Legislative Leader

Date: 1-24-2010

 Regina Gasco Bentley, Secretary

Received by the Executive Office on 1-25-10 by _____

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: 1-26-10

 Ken Harrington, Tribal Chairperson