

Little Traverse Bay Bands of Odawa Indians

915 Emmet Street • P. O. Box 246
Petoskey, Michigan 49770

616-348-3410 • FAX 616-348-2589

**RESOLUTION 01249903
LITIGATION SUPPORT REQUEST**

WHEREAS the Little Traverse Bay Bands of Odawa Indians is a federally recognized Indian tribe as reaffirmed under Public Law 103-324.

WHEREAS reservations in present day Emmet and Charlevoix Counties were set aside for the Little Traverse Bay Bands in Article I, paragraphs third and fourth of the Treaty of 1855, 11 Stat. 621;

WHEREAS trust allotments were provided to ancestors of Little Traverse Bay Bands members on the 1855 reservations;

WHEREAS the Grand Traverse Band of Ottawa and Chippewa Indians, also party to the 1855 Treaty faces very similar issues relating to its reservation and potential land claims as those faced by the Little Traverse Bay Bands of Odawa Indians. It would therefore be more economical if both tribes retain the same ethnohistorian consultant/potential expert witness to conduct the next phase of needed research and coordinate computerized mapping of potential land claims utilizing the same technical services;

WHEREAS this research and technical services are necessary to establish Indian property rights;

WHEREAS representatives of the Grand Traverse Band of Ottawa and Chippewa Indians and the Little Traverse Bay Bands of Odawa Indians have prepared an itemized budget for this phase of the project amounting to \$134,795.00;

WHEREAS the Bureau of Indian Affairs, Department of the Interior, previously failed to approve funding for this next phase of this project requested in the litigation support budget submitted by Grand Traverse Band Resolution 96-14.415 and supported by Little Traverse Bay Bands Resolution 11179605 for the reasons stated in the Memorandum dated November 5, 1997 to the Minneapolis Area Director from the Director, Office of Trust Responsibilities;

WHEREAS in response to the November 5, 1997 memorandum, legal counsel for the Grand Traverse Band and the Little Traverse Bay Bands advised these tribal governments that litigation against state and/or local governments as well as private parties may be appropriate to recover parcels fraudulently transferred and/or improperly conveyed while held in trust, if claims to such Indian property rights are established in the next phase of this research project;

WHEREAS it is crucial that the next phase of this research project be funded in order for the tribes to determine whether litigation should be initiated;

THEREFORE BE IT RESOLVED THAT the Little Traverse Bay Bands of Odawa Indians

supports the request of the Grand Traverse Band of Ottawa and Chippewa Indians to contract with the Bureau of Indian Affairs under the authority of Public Law 93-638, as amended, for litigation support funds for fiscal year 1999 for a joint project between the Little Traverse Bay Bands of Odawa Indians and the Grand Traverse Band of Ottawa and Chippewa Indians.

Certification

As Tribal Chairman and Tribal Secretary, the undersigned 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 January 24, 1999 at which a quorum was present, by a vote of 7 in favor, 0 opposed and 0 abstentions as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	<u>✓</u>	_____	_____	_____
Frank Ettawageshik	<u>✓</u>	_____	_____	_____
Dorothy Gasco	<u>✓</u>	_____	_____	_____
Barry Laughlin	<u>✓</u>	_____	_____	_____
Shirley Oldman	<u>✓</u>	_____	_____	_____
Rita Shananaquet	<u>✓</u>	_____	_____	_____
Alice Yellowbank	<u>✓</u>	_____	<u>1A</u>	<u>1A</u>

Date: 1-24-99

Frank Ettawageshik, Tribal Chairman

Barry Laughlin, Tribal Secretary