

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

**TRIBAL RESOLUTION #011124-01**  
Great Lakes Energy Services to Victories Square

- 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 being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);
- WHEREAS** the Tribe is the beneficial owner of a number of contiguous parcels held in trust by the United States on Lears Road in Petoskey, Michigan in the area commonly referred to as the Victories Square Development, designated as "Parcel A" in the survey map prepared by Benchmark Engineering attached as Exhibit 1 ("Property");
- WHEREAS** a number of businesses are presently located on the Property, and additional businesses and housing developments may be added in the future;
- WHEREAS** Great Lakes Energy is the utility provider for electric service within the area that includes the Property;
- WHEREAS** the Tribe desires that Great Lakes Energy provide electric service to the Property, including the placement of electric lines and related infrastructure to enable Great Lakes Energy to supply electric service to structures on the Property.

**THEREFORE BE IT RESOLVED:**

1. The Tribe grants, warrants and conveys to Great Lakes Energy the right and authority to construct, maintain, alter, replace, extend, repair, or remove electric lines and related equipment, including existing electric lines and extensions thereof on the Property.
3. The electric lines shall be located by agreement between a licensed contractor hired by the Tribe or a sub-entity or the Tribe's Planning Department and Great Lakes Energy.
4. Great Lakes Energy shall be responsible for maintenance and repair of the electric lines in the same manner and extent as Great Lakes Energy services off of trust lands.
5. Great Lakes Energy shall possess such rights of ingress and egress over the Property as are necessary or reasonable for all purposes incident to its provision of electric services. Such rights include, by way of illustration and not limitation, the following:
  - A. The right to install electric meters for each user located on the Property including the right to access all meters for reading, repairs, replacement and the right to calculate electric consumption;
  - B. The right to separately bill all users of electric on the Property;
  - C. The right to shut off electric services for non-payment or other violations of usage agreements or applicable law.

6. No structure or other barrier shall be constructed or maintained anywhere on the Property that would interfere with Great Lakes Energy's ability to maintain its electric lines.

7. The Tribe, its sub-entities, employees, officials, guests, lessees, sub-lessees and invitees will not engage in any activity that would damage or hinder the maintenance of Great Lakes Energy's electric lines and equipment.

8. This Resolution shall be binding on the Tribe's tenants, successors and assigns as to the Property with the same force and effect as a utility easement that runs with the land. The Tribe shall reference this Resolution in all leases and agreements that relate to the Property.

9. This Resolution may be recorded with the Emmet County Register of Deeds in order to place the terms and conditions of this Resolution as part of the public record.

### CERTIFICATION

As the 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 on January 11, 2024 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 2 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Kiogima	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Tamara Munson	<u>          </u>	<u>          </u>	<u>          </u>	<u>X</u>
William Ortiz	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Aaron Otto	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Melissa Pamp	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Jordan Shananaquet	<u>          </u>	<u>          </u>	<u>          </u>	<u>X</u>
Leroy Shomin	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Emily Proctor	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Marcella Reyes	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

Date: 1/15/2024




Marcella Reyes, Legislative Leader

Date: 1/15/2024

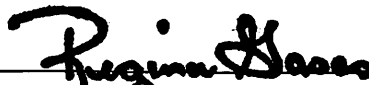


Emily Proctor, Tribal Council Secretary

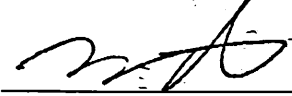
Received by the Executive Office on 1-15-2024 by 

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.

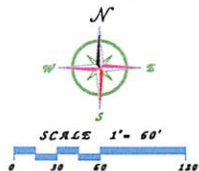
Date: 2-13-2024



Regina Gasco, Tribal Chairperson

Received from the Executive on 2/13/2024 by 

## TENTATIVE PARCEL SPLIT MAP

LITTLE TRAVERSE BAY BANDS  
OF ODAWA INDIANS  
PROPERTY(RETRACEMENT OF A PORTION OF AN ALTA-ACSM LAND TITLE SURVEY,  
BY J.E. YOUNG, P.S. No. 2462 DATED 28 JUNE 2004 FOR L.T.B.B.O.I.)PART OF THE SE 1/2 OF THE SE 1/4 OF  
SECTION 7, T34N, R5W  
BEAR CREEK TOWNSHIP, EMMETT COUNTY, MICHIGAN.WESTBAR INC.  
24-01-19-07-300-007  
M22 US HIGHWAY 131HIGHWAY US-131  
100' WIDE

## NOTES:

This is not intended or represented to be a land or property survey. Portions of the monumented existing boundary were retraced. The intent of this survey was to show two new parcels ('A' & 'B'). The planimetric data such as buildings and parking areas as shown were not field located but were digitized from existing County photography and old maps.

The property description was furnished, and no check of title relative to ownership, gaps, overlaps, easements or occupation has been performed as part of this sketch.

Bearings and distances shown on this map were taken from an ALTA-ACSM Land Title Survey by J.E. Young, P.S. 24626, for L.T.B.B.O.I., dated 28 JUNE 2004.

SOUTH 1/16 LINE OF SECTION 7, T34N, R5W

S 88°53'W 2600.56'

## REMAING PARENT PARCEL

PARCEL 4, LIDER III, P227

PARCEL "A"  
20.39 acres w/ ROWFORMER  
MEDICAL OFFICES AT  
BEAR RIVER HEALTH PARK

PARCEL 1, LIDER III, P227

PARCEL "B"  
4.85 acres w/ ROW

MEDICAL CENTER

PARCEL 5, LIDER III, P227

NEW LEARS ROAD  
100' WIDE

## SITE NOTES:

24-01-19-07-300-008  
24-01-19-07-300-020  
24-01-19-07-400-034  
24-01-19-07-400-031

PID:

ADDRESS: HWY US-31 & LEARS RD,  
PETOSKEY, MI 49770

AREA: +/- 26 ACRES

## LEGEND

- FOUND GLO CORNER AS NOTED
- FOUND CORNER AS NOTED
- SET 5/8" ROD CAPPED NO. 33983
- PREVIOUSLY SET MARKER BY OTHERS
- PARENT PARCEL BOUNDARY LINE
- FORMER CONDOMINIUM LINES
- OLD HAGAR ROAD LINE
- ROAD RIGHT-OF-WAY
- PROPOSED NEW SPLIT LINE
- MEASURED THIS SURVEY
- DEED CALL

BENCHMARK  
ENGINEERING  
INC.SURVEYORS • CIVIL ENGINEERS  
807 E. LAKE ST.  
HARBOR SPRINGS, MICHIGAN 49740  
PHONE (231) 528-2789 FAX (231) 528-7257  
email: benchmark507@gmail.com

Client : L.T.B.B.O.I.  
Project Mgr : R.E. GELKE  
Drawn By : RED  
Field By : HOLSHOE & BERGER  
File : R11081PDM2.CAD  
Job # : 11-038  
Sheet # : 1 of 1

Date (revision)	by
17 JUNE 2011	
23 JUNE 2011	

TENTATIVE PARCEL SPLIT MAP  
PART OF SEC. 7, T34N, R5W, BEAR CREEK TWP.