

Little Traverse Bay Bands of Odawa Indians

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Resolution 05149901

Authority to Proceed with Victories Gaming Facility

WHEREAS, North American Sports Management VII, Inc. (NORAM) is working with Little Traverse Bay Bands of Odawa Indians (LTBB) to establish LTBB's gaming facilities, and on May 5, 1999, LTBB and NORAM signed a Memorandum of Intent regarding the development and operation of the Victories Casino and Entertainment Center (Victories); and

WHEREAS, NORAM is prepared to renovate and equip Victories for use as a gaming facility (Project); and

WHEREAS, prior to proceeding, NORAM seeks confirmation that the LTBB Tribal Council authorizes the Project and authorizes NORAM to proceed with the Project.

NOW, THEREFORE, BE IT RESOLVED that the LTBB Tribal Council approves and authorizes the following regarding the Project:

1. NORAM, through AMI Land Company, will purchase the Victories land, along with the improvements and personal property on the land and transfer that which it acquires to LTBB pursuant to a Land Contract.
2. NORAM will renovate the property based on the attached Budget, which is hereby approved. NORAM is authorized to proceed with the renovations immediately, and may incur costs equal to the costs shown on the Budget, plus a 7.5% contingency, without further approval from the LTBB Tribal Council.
3. LTBB will repay to NORAM the acquisition costs for the Victories property, the costs of the renovation and any other approved advances as set forth in the Memorandum of Intent, with interest equal to NORAM's costs of funds from the date the funds are advanced.
4. Individual line items on the Budget are intended only to estimate costs of various parts of the Project. NORAM may exceed the amount shown on the Budget for any line item without further approval so long as the total cost of the Project does not exceed the total Budget plus the 7.5% contingency. If the costs are to rise in excess of the 7.5% contingency, the Gaming Administration will request approval of the excess funds from the Tribal Council.
5. NORAM will commence work upon approval of this Resolution and the approval of plans and specification for the Project, with a target date for opening Victories to the public for gaming of July or August 1999.

6. LTBB's Gaming Administration is hereby authorized to approve all equipment acquisitions and any and all changes in equipment for the Project without further action by the LTBB Tribal Council.
7. The plans and specifications for the renovation of Victories shall be approved by action of the LTBB Tribal Council. Any changes to the plans and specifications may be approved by the Gaming Administration who shall hire, with the prior approval of Tribal Council, a contractor to consult on the changes. All changes must be reported to the Tribal Council.
8. The LTBB Tribal Council confirms that no further authorization beyond this resolution except as herein provided is necessary to bind the LTBB as to the issues covered in this Resolution.
9. As to issues covered in this Resolution, the LTBB Tribal Council authorizes its Tribal Chairman to sign on behalf of the LTBB Tribal Council and authorizes its Gaming Administration Chairperson to sign on behalf of the LTBB Gaming Administration.

This Resolution repeals Resolution #05139901.

CERTIFICATION

As Tribal Secretary, the undersigned certifies that this Resolution was duly adopted by phone poll of the Little Traverse Bay Bands of Odawa Indians Tribal Council held on May 14, 1999 by a vote of 4 in favor, 2 opposed, 2 abstentions, and 0 absent as recorded by this roll call.

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

Date: 5-14-99

Barry Laughlin, Tribal Secretary