

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

TRIBAL RESOLUTION # 012320- 01

**AUTHORIZATION OF ODAWA CASINO RESORT
BUSINESS BANKING ACCOUNT AND TREASURY MANAGEMENT
DOCUMENTS AND LIMITED WAIVER OF SOVEREIGN IMMUNITY
AND RELATED MATTERS**

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

WHEREAS LTBB 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 the Tribal Constitution adopted February 1, 2005 (the "Constitution") provides the authority to the LTTB Tribal Council to establish the management of any and all economic affairs and enterprises, by Statute, that will further the economic development of the Tribe or its members;

WHEREAS WOS 2018-016, Gaming Authority Statute was enacted into law on September 13, 2018 (the "Statute"), and provides for the establishment of the Gaming Authority (the "Gaming Authority") as a subordinate entity of LTTB, in accordance with the Constitution;

WHEREAS the Gaming Authority Statute assigns the duty and authority to the Authority to establish and maintain bank accounts and to manage accounting and cash management as may be necessary for the operations of the Odawa Casino Resort and ancillary enterprises and activities and

other LTBB owned enterprises or businesses related to gaming (collectively, the "Enterprises");

WHEREAS the Gaming Authority desires to designate PNC Bank, National Association ("Bank") as a depository of the Gaming Authority with full authority to accept deposits of money, checks and other instruments (collectively "Items") to the credit of the Gaming Authority in accounts with the Bank in accordance with all written instructions of any person making a deposit, and subject to the present or subsequently amended Business Account Agreement between the Gaming Authority and the Bank (the "Account Agreement");

WHEREAS the Gaming Authority now wishes to enter into the Bank's agreements for treasury management services including, without limitation, the Bank's Master Agreement for treasury management services, the Account Agreement, the Bank's Master Repurchase Agreement and the Bank's agreements for purchasing card or other commercial card services (collectively such agreements are termed the "Treasury Management Documents");

WHEREAS one of the purposes of this Resolution is to authorize the execution of the Treasury Management Documents by the Gaming Authority;

WHEREAS LTBB Tribal Council understands that the Bank requires certain representations and warranties and a limited waiver of sovereign immunity to assure enforceability of the Treasury Management Documents;

NOW THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council hereby approves the Treasury Management Documents and expressly authorizes execution of all such Treasury Management Documents by the Gaming Authority.

BE IT FURTHER RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council hereby approves and incorporates into this Resolution the entirety of Exhibit 1 attached hereto containing certain representations, warranties, and a limited waiver of sovereign immunity.



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 23, 2020 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 1 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Harrington, Jr.	<u>X</u>			
Fred Kiogima	<u>X</u>			
Tamara Kiogima	<u>X</u>			
Melissa Pamp				<u>X</u>
Leroy Shomin	<u>X</u>			
Marty Van De Car			<u>X</u>	
Marcella Reyes	<u>X</u>			
Julie Shananaquet	<u>X</u>			
Emily Proctor	<u>X</u>			

Date: 1/23/2020 Emily Proctor
 Emily Proctor, Legislative Leader

Date: 1-23-20 Julie Shananaquet
 Julie Shananaquet, Tribal Council Secretary

Received by the Executive Office on 1-24-2020 by J.L.W.K.

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: 1-24-2020 Regina Gasco-Bentley
 Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on 01.24.2020 by Jinde Baker

