



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 22-09

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

WHEREAS, by Resolution 22-09 the Squaxin Island Tribe requested the United States accept title to certain real property, known as the "Tumwater Property" more specifically described as Thurston County Parcel Nos. 38400003700 and 38400003800 and further described in "Exhibit A" attached hereto (the "Property") in trust for the benefit of the Tribe pursuant to 25 U.S.C. § 465 and 25 C.F.R. Part 151; and

WHEREAS, in a Pre-Acquisition Title Opinion dated January 28, 2022 the Office of the Regional Solicitor identified certain Special Exceptions within the title evidence dated July 23, 2021 that must be addressed;

WHEREAS, Special Exception No. 3 excepts from the Title Commitment unrecorded leaseholds, if any, rights of vendors and holders of a security interest on personal property installed upon the land, and rights of tenants to remove trade fixtures at the expiration of the term; and

WHEREAS, Special Exception No. 4 notes the declaration of a covenant regarding non-contamination of a well-site within a 100-foot radius; and

WHEREAS, Special Exception No. 7 notes the existence of a well agreement which states that “the well exists for the mutual benefit of Parcels 1 and 2 ...and Parcel 1 retains the right to hook up to the existing water system for its commercial building as previously built and existing for the monthly water fee of \$9.00 per month;”

NOW THEREFORE BE IT RESOLVED, that the Tribe acknowledges and accepts each obligation, encumbrance and restriction identified in each of Special Exceptions Nos. 3, 4, and 7;

BE IT FURTHER RESOLVED, that the Tribe acknowledges that the Well Agreement identified under Special Exception No. 7 is likely void and unenforceable by merger or otherwise;

BE IT FINALLY RESOLVED, that the Tribe directs its staff to provide proof that the property tax and real estate excise tax obligations identified in Special Exceptions Nos. 1 and 2 have been satisfied.


CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at a special meeting of the Squaxin Island Tribal Council, held on this 7th day of February, 2022, at which time a quorum was present and was passed by a vote of 5 for and 0 against, with 0 abstentions.


[Kristopher K Peters \(Feb 7, 2022 11:34 PST\)](#)

Kris Peters, Chairman

Attested by: 
[Patrick Braese \(Feb 7, 2022 18:51 PST\)](#)
Patrick Braese, Secretary


[Charlene Krise \(Feb 7, 2022 15:38 PST\)](#)

Charlene Krise, Vice Chairman











Tumwater Property Resolution_Special Exceptions

Final Audit Report

2022-02-08

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