



## SQUAXIN ISLAND TRIBE

RESOLUTION NO. 04- 108  
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 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**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; 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 with protecting and managing the lands and treaty resources and rights of the Tribe; and

**WHEREAS**, the Squaxin Island Tribal Council recognizes that the Tribe has entered into leases of copier equipment from De Lage Landen Financial Services, Inc. (“DLL”) and may wish to enter into additional leases of copier equipment with DLL in the future (collectively, the “Leases”); and

**WHEREAS**, the Squaxin Island Tribal Council has not previously delegated to any person authority to waive the sovereign immunity of the Tribe for the purpose of any lease with DLL;

**NOW THEREFORE BE IT RESOLVED**, that the Squaxin Island Tribal Council hereby ratifies existing leases between the Tribe and DLL numbered 24409783, 24418183, 24465617, 24466129, and unnumbered leases dated November 20, 2002 and September 17, 2004 subject to the limited waiver of sovereign immunity and tax provisions contained in this Resolution which shall be deemed a part of and incorporated in such leases; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Squaxin Island Tribal Council hereby authorizes the Executive Director to sign additional copier leases with DLL subject to the limited waiver of sovereign immunity and tax provisions contained in this Resolution which shall be deemed a part of and incorporated in such leases; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Squaxin Island Tribal Council hereby authorizes the following limited waiver of sovereign immunity which shall apply to and be deemed a part of and incorporated in leases ratified pursuant to this Resolution and to future leases signed pursuant to this Resolution:

The Squaxin Island Tribe expressly waives its sovereign immunity from suit with respect to the obligations and indebtedness that arise out of or relate to the Leases, provided that the waiver of sovereign immunity expressed herein is expressly limited as follows:

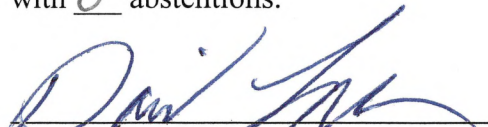
1. The waiver of sovereign immunity expressed herein is limited to De Lage Landen Financial Services, Inc. ("DLL");
2. The waiver of sovereign immunity expressed herein is limited to the contract price specified in each Lease;
3. The waiver of sovereign immunity expressed herein is limited to the jurisdiction of the Squaxin Island Tribal Court including the appellate division of that Court or the courts of the State of Washington.

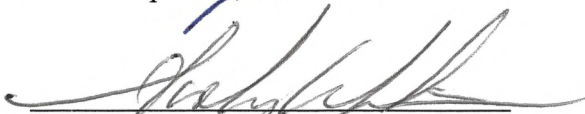
**NOW THEREFORE BE IT FINALLY RESOLVED**, that the following tax provision shall be deemed a part of and incorporated in leases ratified pursuant to this Resolution and to future leases signed pursuant to this Resolution:

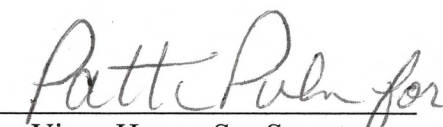
The Tribe is exempt from state taxes for goods and services provided to the Tribe in Indian Country, as provided in federal law and Washington Administrative Code 458-20-192, including but not limited to the state and local sales tax. De Lage Landen Financial Services, Inc. ("DLL") is eligible for an exemption from state taxes for goods and services provided to the Tribe in Indian Country, as provided in WAC 458-20-192, including, but not limited to, state and local sales tax, Business & Occupation tax, and others. DLL shall comply with applicable law to perfect the exemptions from state taxation.

#### CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 10<sup>th</sup> day of December, 2004 at which time a quorum was present and was passed by a vote of 3 for and 0 against with 0 abstentions.

  
David Lopeman, Chairman

  
Andy Whitener, Vice Chairman

Attested by:   
Vince Henry, Sr., Secretary

