



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 24-21

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, Island Enterprises, Inc. ("IEI") is a wholly owned enterprise of the Squaxin Island Tribe and the principle economic development arm the Tribe; and

WHEREAS, IEI wishes to acquire certain property from Manke Lumber Co.; and

WHEREAS, such acquisition of the property requires title insurance and policy through the Westcor Land Title Insurance Company ("the Title company"); and

WHEREAS, in order to induce the Title company to complete the required services, it is necessary that authorized representatives from both IEI and the Tribe sign a General Endorsement; and

WHEREAS, the General Endorsement, ALTA Endorsement 48, contains an explicit waiver of the Tribe's sovereign immunity; and

NOW, THEREFORE BE IT RESOLVED, the Tribal Council ratifies its decision to specifically limit its waiver of sovereign immunity for the purposes of this endorsement and title service, as stated in sections 2 & 3 of the endorsement:

2. Exclusively with regard to any action or proceeding arising out of or related to the policy, and not otherwise, the Tribe:
 - a. Waives any sovereign immunity from suit (and any defense based thereon); and
 - b. Waives any defense due to failure to exhaust remedies in the courts of the Tribe; and
 - c. Consents to jurisdiction in the federal courts of the United States of America and the courts of the state(s) where the Land is located or: WA); and
 - d. Consents to venue in the federal courts of the United States of America and the courts of the state(s) where the Land is located or: WA.

3. Exclusively with regard to any action or proceeding arising out of or related to the policy, and not otherwise, if the Insured is an Entity in which the Tribe has an ownership interest, the Insured:
 - a. Waives any sovereign immunity from suit (and any defense based thereon) that the Insured may possess; and
 - b. Waives any defense due to failure to exhaust remedies in the courts of the Tribe that the Insured may possess; and
 - c. Consents to jurisdiction over the Insured in the federal courts of the United States of America and the courts of the state(s) where the Land is located or: WA; and
 - d. Consents to venue for the Insured in the federal courts of the United States of America and the courts of the state(s) where the Land is located or: WA.

FINALLY, THEREFORE BE IT RESOLVED, the Squaxin Island Tribal Council hereby authorizes and directs its Chairman Kristopher Peters, or its Executive Director, Erika Thale, to execute the document as representative of the Squaxin Island Tribe, and recognizes and authorizes the CEO, David Burnette, representative for IEI, to complete execution of the General Endorsement;

CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 28th day of March, 2024, at which time a quorum was present and was passed by a vote of 5 for and 0 against, with 0 abstentions.

Jeremie Walls
Jeremie Walls (Apr 1, 2024 10:48 PDT) for
Kris Peters, Chairman

Attested by: *Marvin E. Campbell*
Marvin E. Campbell (Apr 1, 2024 09:49 PDT)
Marvin Campbell, Treasurer

Jaimie Cruz
Jaimie Cruz (Apr 2, 2024 09:45 PDT)
Jaimie Cruz, Vice Chairman

RESOLUTION - Westcor

Final Audit Report

2024-04-02

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-  Document created by Melissa Puhn (mpuhn@squaxin.us)
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