



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

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Resolution 06-24-09-F

*Authorizing a Limited Waiver of Sovereign Immunity for
A Guarantee of the
First Ground Lease Extension Agreement
Between
The Austin Straubel International Airport
and
The Oneida Seven Generations Corporation*

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized government and Treaty Tribe recognized by the law of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section I of the Oneida Constitution by the Oneida General Tribal Council; and
- WHEREAS, Austin Straubel International Airport, a municipal corporation and Lessor, and Oneida Seven Generations Corporation, an Oneida Tribally-chartered corporation and Lessee, are parties to a Ground Lease, effective date of June 1, 2004; and
- WHEREAS, the Ground Lease provides for tribal roadway access and underground fiberoptic cable installation between South Point Road, Green Bay, and the Oneida Casino, Green Bay, and the parties have entered into a First Ground Lease Extension Agreement, effective January 1, 2009; and
- WHEREAS, the First Ground Lease Extension Agreement provides that the Oneida Seven Generations Corporation, as Lessor, agrees to pay all base rents and base rent adjustments as provided in the Agreement; and

WHEREAS, Oneida Seven Generations Corporation, as Lessee, has agreed to obtain a Guarantee from the Oneida Tribe of Indians of Wisconsin, as Guarantor, as a condition of the First Ground Lease Extension Agreement; and

WHEREAS, the Oneida Tribe as Guarantor guarantees and covenants that it shall assume all rights, responsibilities and obligations of the First Ground Lease Extension Agreement in the event the Oneida Seven Generations Corporation is dissolved or becomes in default of any of its obligations under the First Ground Lease Extension Agreement; and

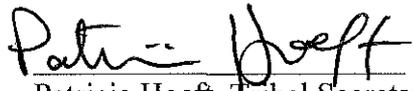
WHEREAS, the Oneida Tribe as Guarantor further guarantees and covenants that it shall not use its status as a sovereign nation or its sovereign immunity as a defense for the enforcement of the provisions of the First Ground Lease Extension Agreement or the enforcement of the Guarantee; and

WHEREAS, the Oneida Tribe as Guarantor further agrees that it consents to be sued for the purpose of enforcing the Guarantee and all duties and obligations thereunder in the Wisconsin State Court System.

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby approves and authorizes a limited waiver of sovereign immunity for the Guarantee to the First Ground Lease Extension Agreement between the Austin Straubel International Airport and Oneida Seven Generations Corporation, for the purpose of enforcing all the duties and obligations as set forth in the First Ground Lease Extension Agreement.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 constitute a quorum. 7 members were present at a regular meeting duly called, noticed, and held on 24th day of June 2009; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for; 0 members against, 0 members abstaining; and that said resolution has not been amended or rescinded in any way.


Patricia Hoeft, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."