

**WESTBANK FIRST NATION
IR No.09 FUTURE COMMUNITY GOVERNANCE SITE LAND
PURCHASE CAPITAL EXPENDITURE BY-LAW NO. 11-TX-01**

To authorize the expenditure of a maximum of Two Hundred and Seventy Thousand Dollars (\$270,000.00) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of purchasing locatee land within the Tsinstikeptum Indian Reserve No. 09.

WHEREAS:

- A. Pursuant to Section 83(1) of the *Indian Act* and the Westbank First Nation's inherent right of self-government, the Westbank First Nation has enacted the Westbank First Nation Property Taxation By-law, 95-TX-08 (the "**Taxation By-law**");
- B. In accordance with section 12(3)(1) of the Taxation By-law, the Westbank First Nation annually deposits Ten (10%) percent of annual gross taxes in a cumulative capital projects fund (the "**Cumulative Fund**") to be used from time to time for such capital projects as may be authorized by separate by-law;
- C. Pursuant to the Westbank First Nation Expenditure By-law, 1995, amended by By-law 97-TX-03 (the "**Expenditure By-law**"), the Westbank First Nation is authorized to expend moneys raised pursuant to the Taxation By-law for local purposes, including the provision of Local Services on Reserve and capital projects;
- D. The Council of the Westbank First Nation deems it desirable and in the best interest of the Band members to advance funds to complete the purchase of locatee land for future governance and recreational site.
- E. The Westbank First Nation has concluded the total cost of purchasing of the locatee land for future expansion of governance and recreational use to be not more than \$270,000 as outlined in Schedule "A" to this By-law.

NOW THEREFORE, the Council of the Westbank First Nation hereby enacts the following by-law;

SHORT TITLE

1. This By-law may be cited for all purposes as the IR No. 09 Land Purchase for Future Community Governance and Recreational Site Capital Expenditure By-law No. 11-TX-01.

EXPENDITURE AUTHORIZATION

2. The Westbank First Nation hereby acknowledges that it is in the best interests of the members of the Westbank First Nation to purchase land for future community governance and recreation site project as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than Two Hundred and Seventy Thousand (\$270,000.00) Dollars from the Cumulative Fund for the purposes of purchasing land for future community governance and recreational site purchase project (the "Project Funds").
4. The Westbank First Nation also authorizes the expenditure of all or a portion of the Project Funds to acquire all such lands, easements, rights-of-way, licences, permits, rights and authorities as may be required or desirable for or in connection with the IR No.09 future community governance and recreation land purchase project.
5. Any of the Project Funds not expended on the IR No.09 community governance and recreation land purchase project or incidental costs related thereto, will be reimbursed to and deposited in the Cumulative Fund upon completion of the IR No. 09 community governance and recreation land purchase project.
6. All revenue collected related to this By-law will be reimbursed to "the Cumulative Fund".

EFFECTIVE

7. This By-law comes into full force and effect upon approval by the Minister of the Department of Indian Affairs and Northern Development.

BE IT HEREBY RESOLVED AND AGREED:


That this By-law, entitled the IR No. 09 Future Community Governance and Recreational Land Purchase Project WFN By-law No.11-TX-01 being read for the first, second and third and final time by the Council of the Westbank First Nation held at a duly convened meetings.

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 20th day of December, 2010.

Exempt from a second reading pursuant to section 60.9 of the Westbank First Nation Constitution.

Read a third time, and enacted as a Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 31st day of January, 2011.


Chief Robert Louie


Councillor Michael De Guevara


Councillor Loretta Swite-Ghostkeeper


Councillor Mickey Werstuik


Councillor Lorrie Hogaboam

SCHEDULE "A"

BUDGET FOR PROPOSED IR NO.9 FUTURE COMMUNITY GOVERNANCE AND RECREATIONAL LAND PURCHASE PROJECT

ITEM	COST	FUNDING SOURCE
Land Purchase	\$270,000	WFN, Local Government Services (LGS)
	\$270,000	WFN, LGS
TOTAL	\$ 270,000	WFN, LGS WFN, LGS