

Ministre des Affaires indiennes et
du Nord canadien et interlocuteur fédéral
auprès des Métis et des Indiens non inscrits



Minister of Indian Affairs and
Northern Development and Federal Interlocutor
for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

I, Minister of Aboriginal Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following by-law
made by the Westbank First Nation, in the Province of British Columbia, at
a meeting held on the 14th day of January 2013.

- **Westbank First Nation
Capital Expenditure By-law No. 12-TX-08**

A handwritten signature in black ink, appearing to be 'J. Man' or similar, written in a cursive style.

Dated at Ottawa, Ontario, this 12 day of February 2013.

Canada The word 'Canada' in a serif font, with a small Canadian flag logo to its right.

WESTBANK FIRST NATION
IR No.10 LINDLEY ROAD REALIGNMENT CAPITAL EXPENDITURE
BY-LAW NO. 12-TX-08

To authorize the expenditure of a maximum of One Hundred and Fifteen Thousand Dollars (\$123,252) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of completing the realignment of Lindley Road within the Tsinstikeptum Indian Reserve No. 10.

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)(l) 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. Westbank First Nation deems it desirable and in the best interest of the community to advance funds to complete the Lindley Road Realignment on Tsinstikeptum Indian Reserve No.10.
- E. The Westbank First Nation has concluded the total cost of realignment of Lindley road on Tsinstikeptum Indian Reserve No.10 to be not more than \$123,252 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. 10 Lindley Road Realignment Project Capital Expenditure By-law No. 12-TX-08.

EXPENDITURE AUTHORIZATION

2. The Westbank First Nation hereby acknowledges that it is in the best interests of all community and band members of the Westbank First Nation to proceed with the Lindley Road Realignment Project as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than One Hundred and Twenty Three Thousand and Two Hundred Fifty Two (\$123,252) Dollars from the Cumulative Fund for the purposes of the Lindley Road Realignment 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.10 Lindley Road Realignment Project.
5. Any of the Project Funds not expended on the IR No.09 Lindley Road Realignment Project or incidental costs related thereto, will be reimbursed to and deposited in the Cumulative Fund upon completion of the IR No. 10 Lindley Road Realignment Project.
6. All revenue collected related to this By-law will be reimbursed to "the Cumulative Fund".

2s to initialled corrections:

MARCUS HADLEY
BARRISTER & SOLICITOR, NOTARY PUBLIC
255 LINDEN AVE
VICTORIA BC V8V 4E6
TEL: 250-884-4703

EFFECTIVE

7. This By-law comes into full force and effect upon approval by the Minister of the ~~Department~~ ^M ~~Aboriginal Affairs Canada~~ ^M and Northern Development. ~~Canada~~ ^M.

BE IT HEREBY RESOLVED AND AGREED:

That this By-law, entitled the IR No. 10 Lindley Road Realignment Project ~~WPN~~ ^M By-law No.12-TX-08 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.

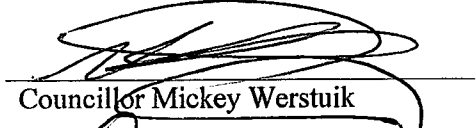
Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 17th day of December, 2012.

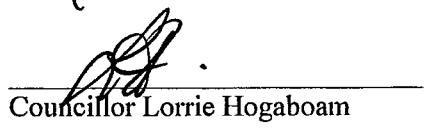
Exempt from a second reading pursuant to section 60.9 of the Westbank First Nation Constitution.

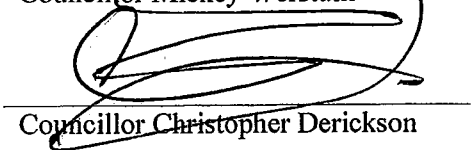
Read a third time, and enacted as a Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 14th day of January, 2013.


Chief Robert Louie


Councillor Michael De Guevara


Councillor Mickey Werstuik


Councillor Lorrie Hogaboam


Councillor Christopher Derickson

SCHEDULE "A"

BUDGET FOR PROPOSED IR NO.10 Lindley Road Realignment Project	COST	FUNDING SOURCE
Engineering – Design, Tender and Construction Costs	\$ 8,015.00	WFN, Local Government Services (LGS)
Environmental Management Plan and monitoring	\$ 7,637.00	
EMP estimate (restoration works)	\$ 10,050.00	
Landscape Restoration (Private Property)	\$ 7,000.00	
Tender Price including 15% Contingency	\$ 90,550.00	
	\$ 123,252.00	WFN, LGS
TOTAL	\$ 123,252.00	WFN, LGS



WESTBANK FIRST NATION

WESTBANK FIRST NATION Council Meeting

Date: Monday, January 4th, 2013
Time: 8:30 AM
Location: Board Room, Lindley Building
#310-515 Hwy. 97 South

AT THIS MEETING, THE FINAL DRAFT OF THE LOCAL REVENUE LAW *LINDLEY ROAD REALIGNMENT CAPITAL EXPENDITURE BYLAW NO. 12-TX-08* WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE LOCAL IMPROVEMENT CHARGE BYLAW

Pursuant to Section 83(1) of the Indian Act and the Westbank First Nation's inherent right to self-government, the Westbank First Nation has enacted the Westbank First Nation Property Taxation Bylaw 95-TX-08 and subsequent amendments (the "Taxation Bylaw");

Under the *Westbank First Nation Expenditure Bylaw 1995* and subsequent amendments (the "Expenditure Bylaw") Westbank First Nation "*WFN*" is authorized to expend moneys raised pursuant to the Taxation Bylaw for local purposes, including the provision of Local Services on Reserve and capital projects.

Under *Bylaw 12-TX-08*, WFN will design and construct the Lindley Road Realignment Capital Project.

Third and final reading of the draft *Bylaw 12-TX-08* will be given by Council January 14, 2013; A Local Revenue Law is exempted from second reading by section 60.9 of the *WFN Constitution*.

A COPY OF THE FINAL DRAFT LAW CAN BE OBTAINED IN THE DEPARTMENT OF TAXATION AT WFN ADMINISTRATION OFFICE AT 515 HWY 97 SOUTH, WESTBANK, BC.