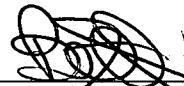


CERTIFICATION

Pursuant to Section 86, Indian Act RSC 1985 C.I-5 and amendments thereto, I certify that the attached copy of the Westbank First Nation I.R No. 09 Quail Lane Redesign and Phase I Servicing Project Capital Expenditure By-law No. 13-TX-08 dated July 29, 2013 is a true copy of the said by-law.



Bill Guérin, Director
Community Development,
a Superintendent as defined in
Sec 2(1) Indian Act RSC 1985

Ministre des Affaires autochtones
et du développement du Nord



Minister of Aboriginal Affairs and
Northern Development

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 29th day of July 2013.

- **Westbank First Nation
I.R. No. 09 Quail Lane Redesign and
Phase I Servicing Project
Capital Expenditure By-law No. 13-TX-08**

Dated at Ottawa, Ontario, this 20th day of *September* 2013.

A handwritten signature in black ink, appearing to read "J. ...".

Canada

**WESTBANK FIRST NATION
IR NO.09 QUAIL LANE REDESIGN AND PHASE I SERVICING
PROJECT CAPITAL EXPENDITURE BY-LAW NO. 13-TX-08**

To authorize the expenditure of a maximum of Six Hundred Thousand Dollars (\$600,000) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of completing the construction of Quail Lane Redesign and Phase I Servicing Project 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)(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 construction of Quail Lane Redesign and Phase I Servicing Project on Tsinstikeptum Indian Reserve No.09.
- E. The Westbank First Nation has concluded the total cost of construction of Quail Lane Redesign and Phase I Servicing Project on Tsinstikeptum Indian Reserve No.09 to be not more than \$600,000 as outlined in Schedule "A" to this By-law.
- F. The Council of the Westbank First Nation wishes to repeal the Westbank First Nation Tsinstikeptum Indian Reserve No. 09 Capital Expenditure By-law 13-TX-04.

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 Quail Lane Redesign and Phase I Servicing Project Capital Expenditure By-law No. 13-TX-08.
2. Repeal of By-law 13-TX-04; that By-law cited as IR No.9 Old Okanagan Highway Estate Square Daimler Road Phase VII Sidewalk Capital Expenditure By-law No. 13-TX-04 is hereby repealed.

EXPENDITURE AUTHORIZATION

3. 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 Quail Lane Redesign and Phase I Servicing Project as summarized in Schedule "A" to this By-law.
4. The Westbank First Nation hereby approves the expenditure of not more than Six Hundred Thousand (\$600,000) Dollars from the Cumulative Fund for the purposes of the Quail Lane Redesign and Phase I Servicing Project (the "Project Funds").
5. 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 Quail Lane Redesign and Phase I Servicing Project.
6. Any of the Project Funds not expended on the IR No.09 Quail Lane Redesign and Phase I Servicing Project or incidental costs related thereto, will be reimbursed to and deposited in the Cumulative Fund upon completion of the IR No.09 Quail Lane Redesign and Phase I Servicing Project.
7. All revenue collected related to this By-law will be reimbursed to "the Cumulative Fund".

EFFECTIVE

8. This By-law comes into full force and effect upon approval by the Minister of Aboriginal Affairs and Northern Development Canada.

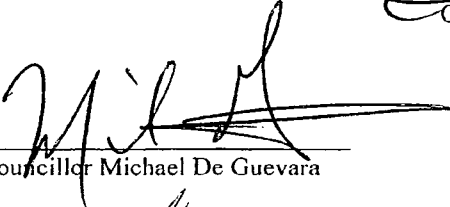
BE IT HEREBY RESOLVED AND AGREED:

That this By-law, entitled the IR No.09 Quail Lane Redesign and Phase I Servicing Project By-law No.13-TX-08 being read for the first, second, third and final time by the Council of the Westbank First Nation held at duly convened meetings.

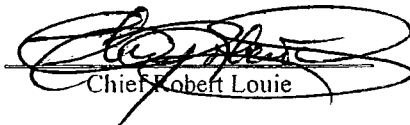
Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 02nd day of July, 2013.

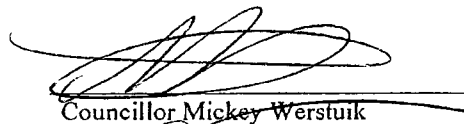
Exempt from a second reading pursuant to section 60.9 of the Westbank First Nation Constitution.

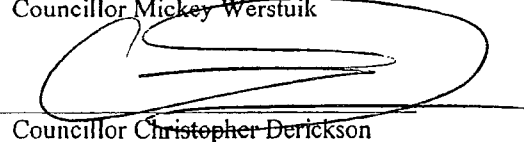
Read a third time, and enacted as a Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 29th day of July, 2013.


Councillor Michael De Guevara


Councillor Lorie Hogaboam


Chief Robert Louie


Councillor Mickey Werstuik


Councillor Christopher Derickson

SCHEDULE "A"

BUDGET FOR PROPOSED IR NO.09 QUAIL LANE REDESIGN AND PHASE I SERVICING PROJECT 13-TX-08	COST	FUNDING SOURCE
Engineering – Design, Tender and Construction Costs	\$550,000.00	WFN, LGS
Contingency	\$ 50,000.00	
	\$ 600,000.00	WFN, LGS
TOTAL	\$ 600,000.00	WFN, LGS