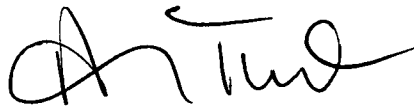


CERTIFICATION

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 Tsinstikeptum IR #10 Sanitary Sewer System Bylaw No. 02-TX-01 dated July 9, 2002 is a true copy of the said by-law.

A handwritten signature in black ink, appearing to read 'Thomas Howe', is positioned above a horizontal line.

Thomas Howe
Director, Lands and Trust Services,
a superintendent as defined in
Section 2(1) Indian Act RSC 1985

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

I, the Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following
bylaw made by the Westbank First Nation, in the Province of British
Columbia, at a meeting held on the 9th day of July 2002.

- **Westbank First Nation**
Tsinstikeptum IR #10
Sanitary Sewer System Bylaw No. 02-TX-01

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

Dated at Ottawa, Ontario this 1st day of September 2002.

Canada

WESTBANK FIRST NATION

Tsinstikeptum IR#10 Sanitary Sewer System Bylaw No. 02-TX-01

To authorize the expenditure of up to Two Million Twenty Thousand Nine Hundred Eighty Three Dollars and Twenty-nine cents (\$2,020,983.29) from monies raised pursuant to Section 83(1) of the Indian Act for the purpose of implementing the IR#10 Sanitary Sewer.

WHEREAS:

- A. Pursuant to the 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 (the "**Taxation Bylaw**");
- B. In accordance with section 12(3)(1) of the Taxation Bylaw the Westbank First Nation annually deposits Ten (10%) per cent of annual gross taxes in a cumulative capital projects fund (the "Capital Projects Fund") to be used from time to time for such capital projects as may be authorized by separate bylaw;
- C. Pursuant to the Westbank First Nation Expenditure Bylaw, 1995, amended by Bylaw 97-TX-03 (the "Expenditure Bylaw"), the Westbank First Nation is authorized to expend monies raised pursuant to the Taxation Bylaw 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 members of the Westbank First Nation to extend major trunk sewer infrastructure I.R.#10 to service existing housing, office buildings, and future development as shown on schedule "A" and described in Schedule "B". The infrastructure will be developed pursuant to a cost summary attached as Schedule "C";
- E. The Westbank First Nation has estimated the total cost of construction to the trunk sewer system to be Two Million Twenty Thousand Nine Hundred Eighty Three Dollars and Twenty Nine Cents (\$2,020,983.29) including expenses, incidental thereto, as outlined in Schedule "C".
- F. The Infrastructure Canada First Nations Component grant program is providing the balance of the required funding.

BE IT HEREBY RESOLVED AND AGREED:

1. This Bylaw may be cited for all purposes as the I.R. #10 2002 Sewer Infrastructure Expenditure Bylaw No. 02-TX-01.
2. The Westbank First Nation hereby acknowledges that it is in the best interests of the Westbank First Nation to construct the trunk sewer system, as identified in the Schedules "A", "B" and "C" to improve and extend sewer service to lands within Tsinskeptum Indian Reserve No. 10.

3. The Westbank First Nation hereby approves the expenditure of Two Million Twenty Thousand Nine Hundred Eighty Three Dollars and Twenty Nine Cents (\$2,020,983.29) from monies from capital projects fund collected pursuant to the Taxation Bylaw for the purpose of constructing the trunk Sewer System in accordance with Schedule "C".
4. The Westbank First also authorizes the expenditure of all or a portion of the monies identified in paragraph 3 to acquire all such lands, easements, rights-of-way, licenses, permits, rights and authorities as may be required or desirable for or in connection with the construction of the trunk sewer system within Tsinskeptum Reserve No. 10.
5. The Westbank First Nation acknowledges and agrees that any monies not expended on the trunk sewer systems identified in Schedule "C", or incidental thereto, will be reimbursed to and deposited in the Capital Projects Fund.
6. This Bylaw comes into full force and effect upon approval by the Minister of Indian Affairs and Northern Development.

NOW THEREFORE, the Council of the Westbank First Nation, pursuant to Section 83(2) of the Indian Act and Section 12(4) of Westbank First Nation Property Taxation Bylaw, 95-TX-08, enacts as a bylaw the following:

Short Title

1. This Bylaw may be cited for all purposes as the Tsinstikeptum IR#10 Capital Expenditure Bylaw No. 02-TX-01.

Expenditure Authorization

2. The Westbank First Nation is hereby empowered and authorized to expend a sum not exceeding Two Million Twenty Thousand Nine Hundred Eighty Three Dollars and Twenty Nine Cents (\$2,020,983.29), which amount shall be expended on the projects detailed in Schedule B attached hereto, from monies/capital projects funds raised pursuant to Westbank First Nation Property Taxation Bylaw, 95-TX-08 for the extension and development of water, sewer, road and drainage systems within Tsinstikeptum Indian Reserve No. 10 as described in the IR#10 Sanitary Sewer System.

Other Authorities

3. The Westbank First Nation is hereby authorized to expend all or a portion of the monies identified in section 2 herein to acquire all such lands, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the improvements as described herein.

Coming Into Force

4. This Bylaw shall come into full force and effect upon approval by the Minister of the Department of Indian Affairs and Northern Development.

PASSED AND APPROVED by the Council of the Westbank First Nation at a duly convened meeting of the Council held at the Westbank First Nation Administration Offices, Kelowna, British Columbia, this 9th day of July, 2002.



Chief



Councillor

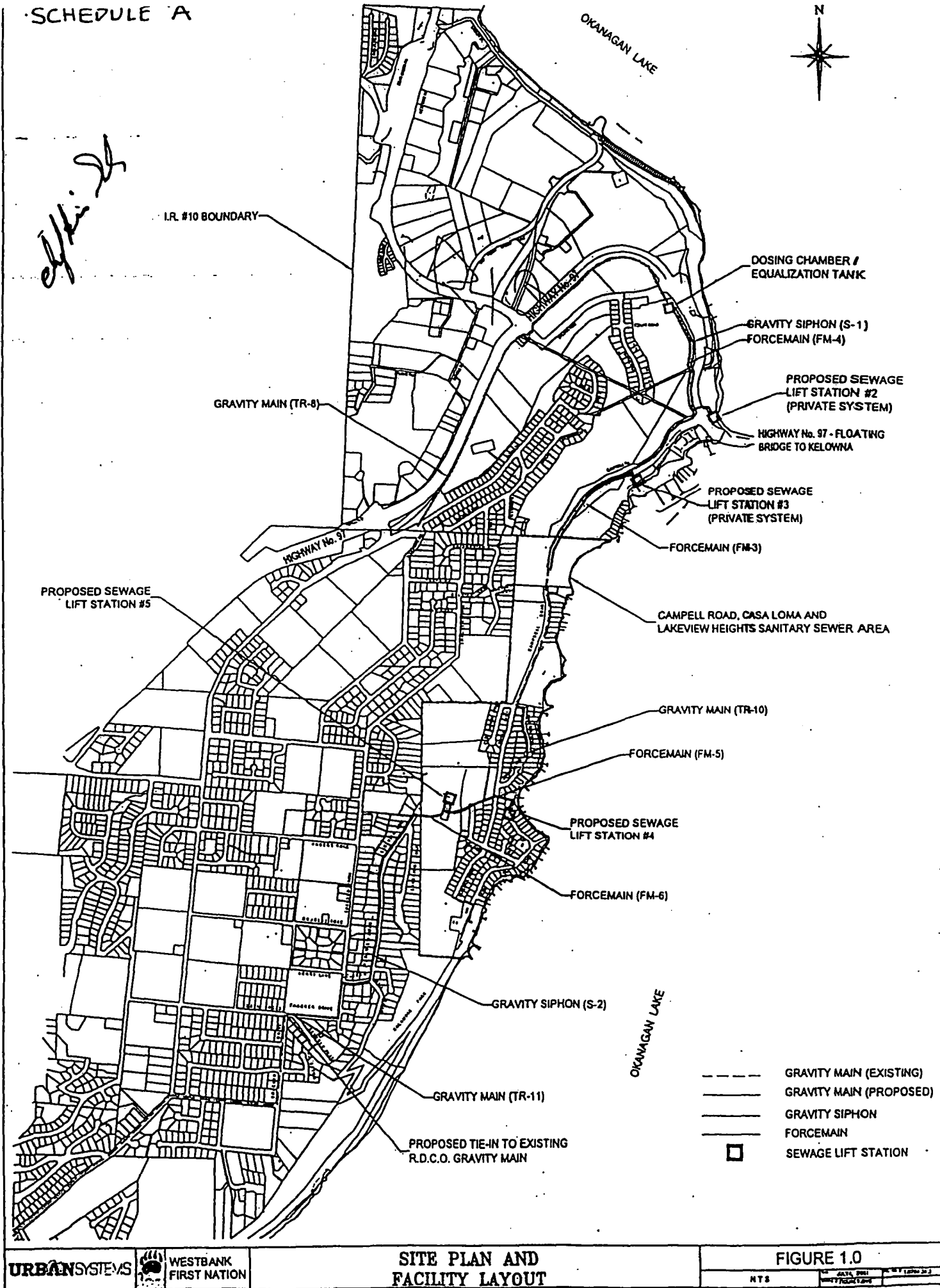


Councillor

Councillor

Councillor

SCHEDULE A



SCHEDULE 'B'

This project provides the design, tendering, engineering services during construction, contracted construction services, and purchased services for the basic components of a sanitary sewer system to provide sanitary sewer service to IR #10.

The improvements will allow for the orderly development of lands on IR #10 in a cost-effective and sustainable manner. The sewer system components have been designed to accommodate ultimate flows for approximately 3,500 single-family equivalent units. Under the Sewer Servicing Agreement between the Regional District and Westbank First nation, all lots and development created before the signing of the agreement are exempt from development cost charges for the Westside Regional Wastewater Treatment Plant (\$2145). Charges for the Lakeview Trunk Sewer and for infrastructure built under this project will be applied to new and existing development.

Developers will be responsible for constructing sewer infrastructure to WFN standards to service their developments.

Additional core infrastructure will be required to serve some areas.

Works to be completed under this bylaw include:

- Gravity sewers
- Forcemains
- Dosing chambers, and
- Pump stations

SCHEDULE 'C'**IR #10 SEWER****Contract A (Campbell Rd)**

Capital Cost	\$232,052	
Professional Services	\$27,275	
Subtotal		\$259,327

Contract B (Dosing Tank & Lift Stations)

Capital Costs		
Lift Station #4	\$692,160	
Lift Station #5	\$535,343	
Dosing Chamber	\$420,000	
Professional Services	\$235,650	
Subtotal		\$1,883,153

Contract C-1 (Boucherie to Sneena Rd)

Capital Cost	\$331,270	
Professional Services	\$51,378	
Subtotal		\$382,648

Contract C-2 (Sneena to Campbell Rd)

Capital Cost	\$658,446	
Professional Services	\$97,182	
Subtotal		\$755,628

Contract C-3 (Campbell to Thacker Rd)

Capital Cost	\$1,105,542	
Professional Services	\$159,776	
Subtotal		\$1,265,318

Design\$445,000**TOTAL ESTIMATED COST**\$4,991,074