

**CERTIFICATION**

Pursuant to Section 86, Indian Act RSC 1985 C.1-5 and amendments thereto, I certify that the attached copy of the Westbank First Nation Design and Mapping By-law No. 03-TX-01 dated March 24, 2003 is a true copy of the said by-law.

*Kathy Howe*

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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 by-law made by the Westbank First Nation, in the Province of British Columbia, at a meeting held on the 24th day of March 2003.

- **Westbank First Nation  
Design and Mapping By-law No. 03-TX-01  
(Capital Expenditure By-law)**

A handwritten signature in black ink, appearing to read 'Robert J. Austin'.

Dated at Ottawa, Ontario this 18<sup>th</sup> day of May 2003.

Canada

**WESTBANK FIRST NATION  
CAPITAL EXPENDITURE BYLAW NO. 03-TX-01**

To authorize the expenditure of up to One Hundred and Forty Two Thousand Dollars (\$142,000.00) from money raised pursuant section 83(1) of the Indian Act to call for proposals for engineering services for design, tendering services, and construction services and produce mapping for use for designing the sewer and other projects on IR # 8, 9, 10, 11, and 12 and that this work be funded from LGS taxation.

**WHEREAS:**

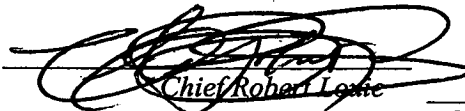
- A. Pursuant to Section 83(1) of the *Indian Act* and the Westbank First Nation's inherent right of self-government, the Westbank First Nation has enacted the Westbank First Nation Property Taxation Bylaw, 95-TX-08 (the "**Taxation Bylaw**");
- B. Pursuant to section 12(3)(1) of the Taxation Bylaw, the Westbank First Nation is authorized annually to deposit Ten (10%) per cent 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 bylaw;
- C. In accordance with section 12(3)(1) of the Taxation Bylaw, the Westbank First Nation has established a Cumulative Fund.
- D. Pursuant to section 83(2) of the *Indian Act* and section 12 of the Taxation Bylaw, any expenditure of moneys raised pursuant to the Taxation Bylaw must be made under the authority of a separate bylaw;
- E. 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 moneys raised pursuant to the Taxation Bylaw for local purposes, including the provision of Local Services on Reserve and capital projects;
- F. The Council of the Westbank First Nation deems it desirable and in the best interests of the members of the Westbank First Nation to produce mapping for use for designing the sewer and other projects on IR # 8, 9, 10, 11, and 12
- G. The Westbank First Nation proposes to expend a sum estimated the cost to be One Hundred and Forty Two Thousand Dollars (\$142,000), to call for proposals for engineering services for design, tendering services, and construction services and produce mapping for use for designing the sewer and other projects on IR # 10 and Report back to Council before producing mapping for IR # 8, 9, 11, and 12 pursuant to the Project Summary attached as Schedule "A" to this Bylaw;
- H. Westbank First Nations has estimated the total cost to produce this mapping outlined in Schedule "A" to be \$142,000 including expenses incidental thereto.

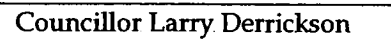
**BE IT HEREBY RESOLVED AND AGREED:**

that this Bylaw, entitled the WFN Design and Mapping Bylaw No 03-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.

1<sup>st</sup> Reading  
Kelowna, British Columbia, this 10 day of March, 2003.

  
Councillor Raf DeGuevara

  
Chief Robert Louie

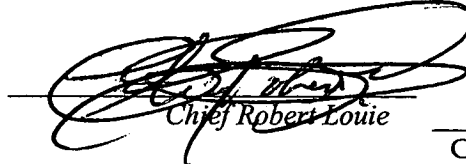
  
Councillor Larry Derrickson

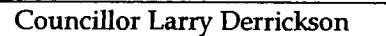
  
Councillor Clarence Clough

  
Councillor Mickey Werstuik

2<sup>nd</sup> Reading  
Kelowna, British Columbia, this 10 day of March, 2003.

  
Councillor Raf DeGuevara

  
Chief Robert Louie

  
Councillor Larry Derrickson

  
Councillor Clarence Clough

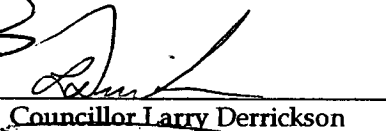
  
Councillor Mickey Werstuik

that this Bylaw, entitled the WFN Design and Mapping Bylaw No 03-TX-01 being read for the third and final time and is hereby enacted as Bylaw No 03-TX-01 by the Council of the Westbank First Nation at a duly convened meeting of Council held at the Westbank First Nation Administration Office, Kelowna, British Columbia, this 24 day of March, 2003.

3<sup>rd</sup> Reading  
Kelowna, British Columbia, this 24 day of March, 2003.

  
Councillor Raf DeGuevara

  
Chief Robert Louie

  
Councillor Larry Derrickson

  
Councillor Clarence Clough

  
Councillor Mickey Werstuik

**SCHEDULE "A"**

**BUDGET FOR PROPOSED SURVEYING AND MAPPING OF IR # 8, 9, 10, 11, AND 12**

<b>ITEM</b>	<b>COST</b>	<b>FUNDING SOURCE</b>
Call for proposals for engineering services for design, tendering services, and construction services	\$40,000	LGS
Engage a surveying and mapping company to provide aerial photography of IR 8, 9, 10, 11, and 12	\$10,000	LGS /Gallaghers
Engage the surveying and mapping company to produce 1:1000 scale mapping with 1 metre contours for use for designing the sewer and other projects on IR #10	\$30,000	LGS
Report back to Council before producing mapping for IR # 8, 9, 11, and 12	\$62,000	LGS /Gallaghers