

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, 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 26th day of July 2010.

- **Westbank First Nation IR No. 09  
Land Purchase for Future Community  
Governance and Recreational Site  
Capital Expenditure By-law No. 10-TX-03**

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

Dated at Ottawa, Ontario, this 2nd day of November 2010.

**WESTBANK FIRST NATION  
IR No.09 FUTURE COMMUNITY GOVERNANCE SITE LAND  
PURCHASE CAPITAL EXPENDITURE BY-LAW NO. 10-TX-03**

To authorize the expenditure of a maximum of Six Hundred and Fifteen Thousand Dollars (\$615,000.00) 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)(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. 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 \$615,000 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. 10-TX-03.

#### 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 Six Hundred and Fifteen Thousand (\$615,000.00) 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:**

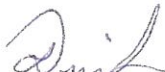
That this By-law, entitled the IR No. 09 Future Community Governance and Recreational Land Purchase Project WFN By-law No.10-TX-03 being read for the first, second and third and final time by the Council of the Westbank First Nation held at a duly convened meetings.

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 12<sup>th</sup> day of July, 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 26<sup>th</sup> day of July, 2010.

Excused from Meeting  
Chief Robert Louie

  
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Councillor Larry Derrickson

  
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Councillor Michael De Guevara

  
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Councillor Brian Eli

  
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Councillor Loretta Swite

**SCHEDULE "A"**

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

<b>ITEM</b>	<b>COST</b>	<b>FUNDING SOURCE</b>
Land Purchase	\$553,500	WFN, Local Government Services (LGS)
	\$553,500	WFN, LGS
<b>Contingency</b>	61,500	WFN, LGS
<b>TOTAL</b>	<b>\$ 615,000</b>	<b>WFN, LGS</b>