

**FIRE PROTECTION SERVICES AGREEMENT  
BETWEEN**

**THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS  
AND  
VILLAGE OF MACKINAW CITY**

**Parties**

1. The Little Traverse Bay Bands of Odawa Indians ("LTBB" or "Tribe") is a Federally recognized Indian tribe that is the beneficial owner of the following described parcel of land held in trust for the Tribe by the United States of America: 1080 S. Nicolet Street, Mackinaw City, MI 49701, Tax Parcel Id Nos. 42-03-24-200-008, 42-03-24-200-007; 42-03-13-400-008; 42-03-13-400-013; 42-03-13-400-015 as described in the deed recorded at Liber 1158 Page 016. LTBB will operate a gaming facility on this parcel. The parcel is exempt from property taxes as a matter of Federal law. The parcel is referred to hereafter as the "LTBB Property."

2. The Village of Mackinaw City ("Village") is a political subdivision of the State of Michigan. The Property is located within the external boundaries of the Village (including areas under its jurisdiction per 425 Agreement), in which the Village provides fire protection to the residents, businesses and property.

**Purpose**

3. The parties enter into this Agreement to provide payment from LTBB to the Village for provision by the Village of fire protection services for the real estate, structures and persons within the LTBB Property.

**Agreement**

4. LTBB shall pay Village a flat annual fire protection readiness fee of \$2000.00. In addition, after the first two runs per year, LTBB shall pay Village a fee of \$750.00 per run.

5. In consideration of the payment made under paragraph 4, Village shall provide fire protection services on the LTBB Property to the full extent, with the same emergency call response, as such services are provided through-out the Village.

6. When fighting a fire on the LTBB Housing Property, the Village fire department shall have the same authority to issue orders necessary to protect life and property as when fighting fires elsewhere in the Village.

7. By Tribal Statute LTBB has adopted the ICC Fire Prevention Code as the Fire Prevention Code of the Little Traverse Bay Bands of Odawa Indians. The Village fire department may provide courtesy inspections at LTBB's request of the structures on the LTBB Property and advise LTBB of any violations of the ICC National Prevention Code and any other suggestions

the Village Fire Department may have to improve fire safety of the structures.

8. Mutual Indemnification.

A. To the fullest extent permitted by law the Tribe shall indemnify and hold harmless the Village, its agents and employees from and against claims, damages, losses and expenses arising out of performance of this Agreement to the extent claims are caused by the negligent acts or omissions of the Tribe, its agents and employees.

B. To the fullest extent permitted by law the Village shall indemnify and hold harmless the Tribe, its agents and employees from and against claims, damages, losses and expenses arising out of performance of this Agreement to the extent claims are caused by the negligent acts or omissions of the Village, its agents and employees.

9. Term. The initial term of this agreement shall be for a period of five years, commencing on June 23, 2016 and ending on June 22, 2021 and may be renewed for successive terms by mutual agreement of the Parties. This Agreement will automatically renew least 60 days before the expiration date. Village may terminate this Agreement on 60 days' notice for non-payment by the Tribe or refusal to cooperate with the authority of the fire department per paragraph 6. The Tribe may terminate this Agreement on 60 days' notice to the Village in the event the Tribe develops its own fire protection capacity in which event the parties may develop a mutual aid agreement.

*The undersigned execute this Agreement as duly authorized representatives of the respective Parties.*

Date: 6-23-16

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

Regina Gasco-Bentley  
By: Regina Gasco-Bentley, Its Chairperson

Date: 6-27-16

VILLAGE OF MACKINAW CITY

Blair R. Hill                      President  
By:    , Its