

**FRAMEWORK AGREEMENT**

**TREATY LAND ENTITLEMENT  
MANITOBA**

**COUNCIL RESOLUTIONS**

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# **FRAMEWORK AGREEMENT TREATY LAND ENTITLEMENT MANITOBA**

## **COUNCIL RESOLUTIONS**

### **FOREWORD**

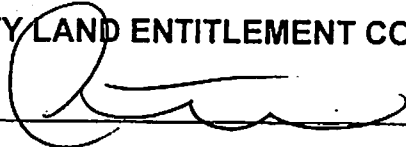
The Framework Agreement Treaty Land Entitlement Manitoba (Framework Agreement) sets out the obligations and the processes that will be followed by 20 Entitlement First Nations and the Governments of Canada and Manitoba in the fulfilment of the outstanding land obligation owed under treaty to the Entitlement First Nations. As part of these processes, Entitlement First Nations are responsible for informing Canada and sometimes Manitoba of certain decisions made by their Chiefs and Councils.

For example, under the Framework Agreement, an Entitlement First Nation may be entitled to Select Crown Land to fulfill the outstanding land obligation owed under treaty to that Entitlement First Nation. The Framework Agreement provides that a Selection of Crown Land is made by an Entitlement First Nation delivering to Canada, a Council Resolution that asks Canada to set apart the Crown Land as Reserve, with a map identifying the land.

The Parties to the Framework Agreement have noticed that there have been delays in the fulfillment of the outstanding land obligation owed to the Entitlement First Nations due to difficulties in the drafting and wording of Council Resolutions. For this reason, the Treaty Land Entitlement Committee of Manitoba Inc., on its own behalf and as general partner on behalf of TLEC Limited Partnership, and the Governments of Manitoba and Canada, have prepared this booklet of draft Council Resolutions pursuant to the Framework Agreement in order to assist Entitlement First Nations that are entitled to participate in the Framework Agreement in preparing their Council Resolutions. While we recommend the use of the Council Resolutions contained in this booklet, Entitlement First Nations are free to draft Council Resolutions different than the ones contained in this booklet if they so choose.

THIS DOCUMENT IS APPROVED BY THE REPRESENTATIVES OF EACH OF THE PARTIES TO THE FRAMEWORK AGREEMENT AND THE INDEPENDENT CHAIR OF THE IMPLEMENTATION MONITORING COMMITTEE, ON THE 17th DAY OF February 2003.

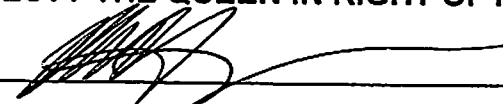
TREATY LAND ENTITLEMENT COMMITTEE OF MANITOBA INC.

  
\_\_\_\_\_


HER MAJESTY THE QUEEN IN RIGHT OF CANADA

Edgar Parmanen  
\_\_\_\_\_

HER MAJESTY THE QUEEN IN RIGHT OF MANITOBA

  
\_\_\_\_\_

INDEPENDENT CHAIR,  
IMPLEMENTATION MONITORING COMMITTEE

  
\_\_\_\_\_

## EXPLANATORY NOTES

### FA (3.03(23)) – Unused Transmission Line Route

1. The attached Council Resolution should be used when:

- the First Nation wants to have an unused Transmission Line route within its Selection set apart as reserve as per subsection 3.03(23) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the Selection was set apart as reserve on [insert date]; "

The First Nation should delete the words "[insert date]" and, in the same place, should insert the date the Selection was set apart as reserve.

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.

## COUNCIL RESOLUTION

### [FA (3.03(23)) – Unused Transmission Line Route]

- WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");
- AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Treaty Land Entitlement Framework Agreement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");
- AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;
- AND WHEREAS** the First Nation is entitled to select Crown Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;
- AND WHEREAS** the First Nation selected a parcel of Crown Land known as "\_\_\_\_\_" (the "Selection") on [insert date] in partial fulfillment of its outstanding treaty land entitlement;
- AND WHEREAS** the Selection was set apart as reserve on [insert date];
- AND WHEREAS** Manitoba and Manitoba Hydro developed a preliminary plan that indicated that a portion of the Selection was required for a Transmission Line route to be constructed within four years of the date the First Nation made the Selection;
- AND WHEREAS** Manitoba and Manitoba Hydro provided a copy of the preliminary plan of the Transmission Line route to the First Nation and Canada;
- AND WHEREAS** the final Transmission Line route as indicated on Plan No. \_\_\_\_ as registered in \_\_\_\_ LTO was determined within two years of the date the First Nation made the Selection and does not require all of the land indicated in the preliminary plan;
- AND WHEREAS** the First Nation is entitled to request that any land within the boundaries of the Transmission Line route within the Selection on the preliminary plan that is not part of the final Transmission Line route ("unused Transmission Line route") be set apart as reserve;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally request that Canada set apart the unused Transmission Line

route as reserve pursuant to the terms of the Framework Agreement and the TEA in partial fulfillment of our First Nation's outstanding treaty land entitlement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

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Councillor

\_\_\_\_\_  
Councillor

A quorum of the Council is \_\_\_\_\_.



## EXPLANATORY NOTES

### FA (6.02(3)(a)) – Land Selection

1. The attached Council Resolution should be used when:

- the First Nation wants to have a Selection set apart as reserve as per paragraph 6.02(3)(a) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the First Nation has selected the following parcel of Crown Land, as identified in the attached National Topographical Series map, in partial fulfillment of its outstanding treaty land entitlement:

[insert site name] (the "Selection");"

The First Nation should delete the words "[insert site name]" and, in the same place, should insert the name of the site of the Selection.

3. The following document needs to be attached to this Council Resolution:

- National Topographical Series map (1:50,000 scale), on which the land is clearly identified by fine point pen.

4. A quorum of Council needs to sign this Council Resolution.

# COUNCIL RESOLUTION

[FA (6.02(3)(a)) – Land Selection]

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Treaty Land Entitlement Framework Agreement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to select Crown Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation has selected the following parcel of Crown Land, as identified in the attached National Topographical Series map, in partial fulfillment of its outstanding treaty land entitlement:

[insert site name] (the "Selection");

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally request that Canada set apart the Selection as reserve pursuant to the terms of the Framework Agreement and the TEA in partial fulfillment of our First Nation's outstanding treaty land entitlement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.

## EXPLANATORY NOTES

### FA (6.02(3)(a)) – Rescind or Amend Selection

1. The attached Council Resolution should be used when:

- the First Nation wants to rescind or amend its Selection of Crown Land as per paragraph 6.02(3)(a) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the First Nation wishes to rescind/amend the Selection in its entirety/as indicated in the attached National Topographical Series map;"

If the First Nation wishes to rescind its Selection, the First Nation should delete "/amend" and "/as indicated in the attached National Topographical Series map". If the First Nation wishes to amend its Selection, the First Nation should delete "rescind/" and "in its entirety/".

3. The following document needs to be attached to this Council Resolution:

- to rescind, none.
- to amend, National Topographical Series map (1:50,000 scale), on which the land is clearly identified by fine point pen.

4. A quorum of Council needs to sign this Council Resolution.

# COUNCIL RESOLUTION

## [FA (6.02(3)(a)) – Rescind or Amend Selection]

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Treaty Land Entitlement Framework Agreement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to select Crown Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation selected a parcel of Crown Land known as "\_\_\_\_\_" (the "Selection") on [insert date] in partial fulfillment of its outstanding treaty land entitlement;

**AND WHEREAS** the First Nation wishes to rescind/amend the Selection in its entirety/as indicated in the attached National Topographical Series map;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally rescind/amend the Selection in its entirety/as indicated in the attached National Topographic Series map.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

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Councillor

\_\_\_\_\_  
Councillor

A quorum of the Council is \_\_\_\_\_.

### EXPLANATORY NOTES

#### FA (6.02(3)(b)) – Acquiring Other Land

1. The attached Council Resolution should be used when:

- the First Nation wants to have an Acquisition set apart as reserve as per paragraph 6.02(3)(b) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

"WHEREAS the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

"AND WHEREAS the First Nation/Person acquired the Acquisition on [insert date];"

If a First Nation acquired the Acquisition delete "/Person". If a Person acquired the Acquisition delete "First Nation/". The First Nation should delete the words "[insert date]" and, in the same place, should insert the date of the land acquisition.

3. The following documents need to be attached to this Council Resolution:

- Offer to Purchase or Option to Purchase, and
- Certificate of Title.

4. A quorum of Council needs to sign this Council Resolution.

## COUNCIL RESOLUTION

### [FA (6.02(3)(b)) – Acquiring Other Land]

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Treaty Land Entitlement Framework Agreement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to acquire Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation/Person on behalf of the First Nation has entered into a legally binding Offer/Option to Purchase, attached, for a parcel of Other Land in partial fulfillment of its outstanding treaty land entitlement, legally described as:

[insert legal description] (the "Acquisition"),

as shown in the attached Certificate of Title;

**AND WHEREAS** the First Nation/Person acquired the Acquisition on [insert date];

**Note:** Where First Nation enters into an Offer/Option, the following clause is necessary:

**AND WHEREAS** the First Nation has nominated \_\_\_\_\_ to hold title to the Acquisition on behalf of the First Nation;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally request that Canada set apart the Acquisition as reserve pursuant to the terms of the Framework Agreement and the TEA in partial fulfillment of our First Nation's outstanding treaty land entitlement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor



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Councillor

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Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.

### EXPLANATORY NOTES

#### **FA (6.02(3)(b)) – Rescind or Amend Acquisition**

1. The attached Council Resolution should be used when:

- the First Nation wants to rescind or amend its Acquisition of Other Land as per paragraph 6.02(3)(b) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the First Nation acquired a parcel of Other Land on [insert date] in partial fulfillment of its outstanding treaty land entitlement, legally described as follows:

[insert legal description] (the "Acquisition");"

The First Nation should delete the words "[insert legal description]" and, in the same place, should insert the legal description of the Acquisition.

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.

# COUNCIL RESOLUTION

[FA (6.02(3)(b)) – Rescind or Amend Acquisition]

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Treaty Land Entitlement Framework Agreement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to acquire Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation acquired a parcel of Other Land on [insert date] in partial fulfillment of its outstanding treaty land entitlement, legally described as follows:

[insert legal description] (the "Acquisition");

**AND WHEREAS** the First Nation wishes to rescind/amend the Acquisition in its entirety/as indicated:

[insert explanation of amended Acquisition and legal description];

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally rescind/amend the Acquisition in its entirety/as indicated herein.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.

## EXPLANATORY NOTES

### FA (7.01(1)(b)) – Environmental Audit Acceptance

1. The attached Council Resolution should be used when:

- the First Nation is satisfied with the results of the Environmental Audit of its Selection or Acquisition as per paragraph 7.01(1)(b) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the First Nation has selected/acquired the following parcel of Crown/Other Land in partial fulfillment of its outstanding treaty land entitlement:

[insert site name/legal description] (the  
"Selection/Acquisition");"]

If the First Nation has made a Selection, the First Nation should delete "/acquired" and "/Other", should delete the words "[insert site name/legal description]" and, in the same place, should insert the site name of the Selection, and should delete "/Acquisition". If the First Nation has made an Acquisition, the First Nation should delete "selected/" and "Crown/", should delete the words "[insert site name/legal description]" and, in the same place, should insert the legal description of the Acquisition, and should delete "Selection/".

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.

**COUNCIL RESOLUTION**

**[FA (7.01(1)(b)) – Environmental Audit Acceptance]**

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Framework Agreement Treaty Land Entitlement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation has selected/acquired the following parcel of Crown/Other Land in partial fulfillment of its outstanding treaty land entitlement:

[insert site name/legal description] (the  
"Selection/Acquisition");

**AND WHEREAS** Canada conducted an Environmental Audit of the Selection/Acquisition in accordance with Article 23 of the Framework Agreement on [insert date];

**AND WHEREAS** the First Nation has reviewed the results of the Environmental Audit as set out in the environmental report dated [insert date];

**AND WHEREAS** the Environmental Audit and the environmental report indicate that the Selection/Acquisition contains insignificant/no contamination;

**Note:** The following clause will only be required where the Audit indicates  
**INSIGNIFICANT CONTAMINATION:**

**AND WHEREAS** the First Nation accepts the Selection/Acquisition on an "as is" basis;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, are satisfied with the results of the Environmental Audit of the Selection/Acquisition.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.

### EXPLANATORY NOTES

#### FA (7.01(1)(d)) – Affirming Survey Boundaries of Addition to Existing Reserve

1. The attached Council Resolution should be used when:

- the First Nation wants to confirm the boundaries of a Selection or Acquisition as set out in a provisional plan of survey as per paragraph 7.01(1)(d) of the Framework Agreement, and the Selection or Acquisition is an addition to an existing reserve.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

"WHEREAS the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

"AND WHEREAS the First Nation is entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;"

If the First Nation has made a Selection, the First Nation should delete "/acquire" and "/Other". If the First Nation has made an Acquisition, the First Nation should delete "select/" and "Crown/".

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.



### COUNCIL RESOLUTION

[FA (7.01(1)(d)) – Affirming Survey Boundaries of Addition to Existing Reserve]

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Framework Agreement Treaty Land Entitlement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation has selected/acquired the following parcel of Crown/Other land in partial fulfillment of its outstanding treaty land entitlement:

[insert site name/legal description] (the  
"Selection/Acquisition");

**AND WHEREAS** Canada conducted a survey of the Selection/Acquisition in accordance with Article 23 of the Framework Agreement on [insert date] as set out in provisional plan of survey No. \_\_\_\_;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nations, confirm the boundaries of the Selection/Acquisition as set out in the provisional plan of survey No. \_\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

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Councillor

\_\_\_\_\_  
Councillor

A quorum of the Council is \_\_\_\_\_.

### EXPLANATORY NOTES

#### **FA (7.01(1)(d)) – Affirming Survey Boundaries and Naming New Reserve**

1. The attached Council Resolution should be used when:

- the First Nation wants to confirm the boundaries of a Selection or Acquisition as set out in a provisional plan of survey as per paragraph 7.01(1)(d) of the Framework Agreement **and to name a new reserve.**

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the First Nation is entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;"

If the First Nation has made a Selection, the First Nation should delete "/acquire" and "/Other". If the First Nation has made an Acquisition, the First Nation should delete "select/" and "Crown/".

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.

### COUNCIL RESOLUTION

**[FA (7.01(1)(d)) – Affirming Survey Boundaries and Naming New Reserve]**

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Framework Agreement Treaty Land Entitlement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation has selected/acquired the following parcel of Crown/Other land in partial fulfillment of its outstanding treaty land entitlement:

[insert site name/legal description] (the  
"Selection/Acquisition");

**AND WHEREAS** Canada conducted a survey of the Selection/Acquisition in accordance with Article 23 of the Framework Agreement on [insert date] as set out in provisional plan of survey No. \_\_\_\_;

**AND WHEREAS** Canada requires that the Selection/Acquisition be identified for reserve creation purposes by a name or number or both;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, confirm the boundaries of the Selection/Acquisition as set out in the provisional plan of survey No. \_\_\_\_ to be known as "\_\_\_\_\_" [insert name or number or both of new reserve]

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.

## EXPLANATORY NOTES

### FA (11.03(1)(b)) – Land subject to a Mineral Disposition

1. The attached Council Resolution should be used when:

- the First Nation wants to have Selection or Acquisition set apart as reserve subject to a mineral disposition, quarry lease or quarry permit held by a Third Party as per paragraph 11.03(1)(b) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS** the First Nation has selected/acquired the following parcel of Crown/Other Land in partial fulfillment of its outstanding treaty land entitlement:

[insert site name/legal description] (the "Selection/Acquisition");"

If the First Nation has made a Selection, the First Nation should delete "/acquired" and "/Other", should delete the words "[insert site name/legal description]" and, in the same place, should insert the site name of the Selection, and should delete "/Acquisition".

If the First Nation has made an Acquisition, the First Nation should delete "selected/" and "Crown/", should delete the words "[insert site name/legal description]" and, in the same place, should insert the legal description of the Acquisition, and should delete "Selection/".

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.

### COUNCIL RESOLUTION

**[FA (11.03(1)(b)) – Land subject to a Mineral Disposition]**

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Framework Agreement Treaty Land Entitlement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation has selected/acquired the following parcel of Crown/Other Land in partial fulfillment of its outstanding treaty land entitlement:

[insert site name/legal description] (the  
"Selection/Acquisition");

**AND WHEREAS** the Selection/Acquisition is subject to a mineral disposition/quarry lease/quarry permit held by [insert name of Third Party];

**AND WHEREAS** the First Nation wishes to have the Selection/Acquisition set apart as reserve by Canada, subject to the said mineral disposition/quarry lease/quarry permit held by [insert name of Third Party];

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby request that Canada set the Selection/Acquisition apart as reserve pursuant to the terms of the Framework Agreement and the TEA in partial fulfillment of our First Nation's outstanding treaty land entitlement subject to the said mineral disposition/quarry lease/ quarry permit held by [insert name of Third Party].

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.



## EXPLANATORY NOTES

### FA (12.07(1)) – Additional Land above Easement Line

1. The attached Council Resolution should be used when:

- the First Nation wants to have Additional Land set apart as reserve as per subsection 12.07(1) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS** the First Nation has selected/acquired the following Crown/Other Land in partial fulfillment of its outstanding treaty land entitlement which is adjacent to a Developed Waterway namely the \_\_\_\_\_ River or a lake located on that river system or an affected tributary of that river system:

[insert site name/legal description] (the "Selection"/  
"Acquisition");"

If the First Nation has made a Selection, the First Nation should delete "/acquired" and "/Other", should fill in the name of the river that is part of the Developed Waterway, should delete the words "[insert site name/legal description]" and, in the same place, should insert the name of the site selected, and should delete "/Acquisition".

If the First Nation has made an Acquisition, the First Nation should delete "selected/" and "Crown/", should fill in the name of the river that is part of the Developed Waterway, should delete the words "[insert site name/legal description]" and, in the same place, should insert the legal description of the Acquisition, and should delete "Selection/".

3. The following document needs to be attached to this Council Resolution:

- National Topographical Series map (1:50,000 scale), on which the land is clearly identified by fine point pen.

4. A quorum of Council needs to sign this Council Resolution.

### COUNCIL RESOLUTION

**[FA (12.07(1)) – Additional Land above Easement Line]**

- WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");
- AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Framework Agreement Treaty Land Entitlement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");
- AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;
- AND WHEREAS** the First Nation is entitled to select/acquire Crown/Other Land adjacent to a Developed Waterway subject to a Hydro Easement in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;
- AND WHEREAS** the First Nation has selected/acquired the following Crown/Other Land in partial fulfillment of its outstanding treaty land entitlement which is adjacent to a Developed Waterway namely the \_\_\_\_\_ River or a lake located on that river system or an affected tributary of that river system:
- [insert site name/legal description] (the "Selection"/ "Acquisition");
- AND WHEREAS** Manitoba Hydro has determined the Easement Line on the Selection/Acquisition, Manitoba has produced an explanatory plan of the Easement Line and the First Nation has approved the description of the land below the Easement Line;
- AND WHEREAS** the First Nation may select Additional Land above the Easement Line in an amount equal to that area of the Selection/Acquisition located below the Easement Line;
- AND WHEREAS** the First Nation has selected the following Additional Land as identified in the attached National Topographical Series map, in partial fulfillment of its outstanding treaty land entitlement;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally request that Canada set apart the Additional Land as reserve pursuant to the terms of the Framework Agreement and the TEA in partial fulfillment of our First Nation's outstanding treaty land entitlement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

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Councillor

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Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.

## EXPLANATORY NOTES

### FA (13.05(1)(b)) – Undeveloped Road Allowance

1. The attached Council Resolution should be used when:

- the First Nation wants to have an Undeveloped Road Allowance within its Selection or Acquisition set apart as reserve as per paragraph 13.05(1)(b) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty")

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the City/Town/Village/Rural Municipality/Local Government District of \_\_\_\_\_/Manitoba has closed that portion of the Undeveloped Road Allowance which is within the Selection/ or which runs through the Acquisition;"

If a City has closed that portion of the Undeveloped Road Allowance which is within the Selection or which runs through the Acquisition, the First Nation should delete the words "/Town /Village/Rural Municipality/Local Government District of \_\_\_\_\_/Manitoba". In the same way, if one of the other government bodies has closed the Undeveloped Road Allowance, the First Nation should retain the name of the government body that closed the road allowance and should delete the other choices that do not apply. If the First Nation has made a Selection, the First Nation should delete the words "/which runs through the Acquisition" and if the First Nation has made an Acquisition, the First Nation should delete the words "which is within the Selection".

3. The following document needs to be attached to this Council Resolution:

- sketch of Selection/Acquisition, showing location of Undeveloped Road Allowance.

4. A quorum of Council needs to sign this Council Resolution.

**COUNCIL RESOLUTION**

**[FA (13.05(1)(b)) – Undeveloped Road Allowance]**

**WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");

**AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Manitoba Treaty Land Entitlement Framework Agreement (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");

**AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;

**AND WHEREAS** the First Nation is entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;

**AND WHEREAS** the First Nation selected/acquired the following parcel of Crown/Other Land in partial fulfillment of its outstanding treaty land entitlement"

["insert site name/legal description"]  
(the "Selection"/"Acquisition");

**AND WHEREAS** an Undeveloped Road Allowance, as described in the sketch attached and legally described as [insert legal description], is within the Selection/ runs through the Acquisition and is not required for ongoing essential public access;

**AND WHEREAS** the City/Town/Village/Rural Municipality/Local Government District of \_\_\_\_\_/Manitoba has closed that portion of the Undeveloped Road Allowance which is within the Selection/ runs through the Acquisition;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally request that Canada set apart that portion of the Undeveloped Road Allowance that is within the Selection/ runs through the Acquisition as reserve pursuant to the terms of the Framework Agreement and the TEA in partial fulfillment of our First Nation's outstanding treaty land entitlement.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

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Councillor

\_\_\_\_\_  
Councillor

A quorum of the Council is \_\_\_\_\_.

## EXPLANATORY NOTES

### FA (13.06(1)) - Closed Road Right of Way

1. The attached Council Resolution should be used when:

- the First Nation wants to have a closed Road Right of Way within its Selection or Acquisition set apart as reserve as per subsection 13.06(1) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

**"WHEREAS**            the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty");"

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

**"AND WHEREAS**    the First Nation was entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;"

If the First Nation has made a Selection, the First Nation should delete "/acquire" and "/Other". If the First Nation has made an Acquisition, the First Nation should delete "select/" and "Crown/".

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.



**COUNCIL RESOLUTION**

**[FA (13.06(1)) – Closed Road Right of Way]**

- WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No: \_\_\_\_\_ (the "Treaty");
- AND WHEREAS** the Treaty Land Entitlement Framework Agreement Manitoba (the "Framework Agreement") was signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");
- AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;
- AND WHEREAS** the First Nation was entitled to select/acquire Crown/Other Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;
- AND WHEREAS** Crown/Other Land was set apart as reserve (the "Reserve") on [insert date];
- AND WHEREAS** a Road Right of Way runs through the Reserve as set out in Plan No. \_\_ as registered in \_LTO;
- AND WHEREAS** the Road Right of Way was closed by Manitoba;
- AND WHEREAS** the First Nation has selected and had all of its Crown Land Amount set apart as reserve;
- AND WHEREAS** the First Nation is entitled to request that the closed Road Right of Way be set apart as reserve;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally request that Canada set apart the closed Road Right of Way as reserve pursuant to the terms of the Framework Agreement and the TEA.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

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Councillor

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Councillor

\_\_\_\_\_  
Councillor

A quorum of the Council is \_\_\_\_\_.

### EXPLANATORY NOTES

#### FA (13.07(3)(b)) – Unused Road Right of Way

1. The attached Council Resolution should be used when:

- the First Nation wants to have an unused Road Right of Way within its Selection or Acquisition set apart as reserve as per paragraph 13.07(3)(b) of the Framework Agreement.

2. In filling out this Council Resolution, the First Nation should:

- fill in all blank spaces and insert appropriate wording where required. For example, this Council Resolution states:

"WHEREAS the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_ (the "Treaty")

The First Nation should fill in its name in the first blank space and the number of the Treaty under which it is entitled to benefits in the second blank space.

- delete optional words that are not applicable, words in square brackets and any notes. For example, this Council Resolution states:

"AND WHEREAS the Selection was set apart as reserve on [insert date];"

The First Nation should delete the words "[insert date]" and, in the same place, should insert the date the Selection was set apart as reserve.

3. The following documents need to be attached to this Council Resolution:

- none.

4. A quorum of Council needs to sign this Council Resolution.

### COUNCIL RESOLUTION

#### [FA (13.07(3)(b)) – Unused Road Right of Way]

- WHEREAS** the \_\_\_\_\_ First Nation (the "First Nation") is entitled to the benefits of Treaty No. \_\_\_\_\_ (the "Treaty");
- AND WHEREAS** the First Nation has not received the full amount of land to which it is entitled under the terms of the Treaty, as recognized in the Treaty Land Entitlement Framework Agreement Manitoba (the "Framework Agreement") signed by Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. on its own behalf and as general partner on behalf of the TLEC Limited Partnership ("TLEC");
- AND WHEREAS** the First Nation has entered into a Treaty Entitlement Agreement (the "TEA") with Canada, Manitoba and TLEC;
- AND WHEREAS** the First Nation is entitled to select Crown Land in order to fulfill the outstanding treaty land entitlement owed to the First Nation under the Treaty;
- AND WHEREAS** the First Nation selected a parcel of Crown Land known as "\_\_\_\_\_" (the "Selection") on [insert date] in partial fulfillment of its outstanding treaty land entitlement;
- AND WHEREAS** the Selection was set apart as reserve on [insert date];
- AND WHEREAS** Manitoba indicated that a portion of the Selection as set out in a preliminary Road Right of Way was required for a road to be constructed within four years of the date the First Nation made the Selection;
- AND WHEREAS** the final Road Right of Way surveyed, as indicated in Plan No. \_\_\_\_\_ as registered in the \_\_\_\_\_ LTO, does not require all of the land indicated in the preliminary plan;
- AND WHEREAS** the First Nation is entitled to request that any land within the boundaries of the Road Right of Way within the Selection on the preliminary plan that is not part of the final Road Right of Way (the "unused Road Right of Way") be set apart as reserve;

**NOW THEREFORE BE IT RESOLVED** that we, the Chief and Council of the First Nation, hereby formally request that Canada set apart the unused Road Right of Way as reserve pursuant to the terms of the Framework Agreement and the TEA in partial fulfillment of our First Nation's outstanding treaty land entitlement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

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Councillor

A quorum of the Council is \_\_\_\_\_.