

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 116-22
DTS Facility Use Agreement

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs, and possesses attributes of sovereignty over both its members and territory; and

WHEREAS, the Constitution of the Pyramid Lake Paiute Tribe authorizes and empowers the Tribal Council to engage in activities on behalf of and in the interest of the welfare and benefits of the Tribe and of the enrolled members thereof; and

WHEREAS, the Constitution, Article VI, Section 1(c), as amended, authorizes the Tribal Council to approve any permit to use of tribal lands or other tribal assets; and

WHEREAS, the Constitution, Article VI, Section 1(f), authorizes the Tribal Council to administer funds or property within the control of the tribe and to make expenditures from available funds for public purposes;

WHEREAS, the Tribe desires to contract with Digital Technology Solutions, Inc. ("DTS"), a Nevada corporation, to provide certain services related to the installation of fiber optic lines on and through the Tribe's Reservation ("Reservation") and to connect such fiber optic lines between the Nixon Node Building, the Wadsworth Node Building, Lumen Facility and Marble Bluff Tower (collectively, the "Buildings"), which are owned and controlled by the Tribe;

WHEREAS, DTS desires to contract with the Tribe to install and provide fiber optic services, and to use portions of the Buildings in connection with its communications business;

WHEREAS, the Tribal Council and DTS have negotiated a Fiber Optic Installation, Facility Use Agreement ("Facility Use Agreement"), attached hereto as Exhibit "A";

WHEREAS, the Tribal Council expressly concludes that the Facility Use Agreement is in the best interest of the Tribe.

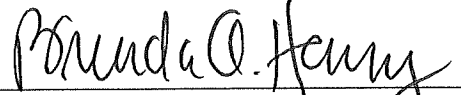
NOW THEREFORE BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby approves the Facility Use Agreement between the Pyramid Lake Paiute Tribe and DTS, attached hereto as Exhibit "A"; and

BE IT FINALLY RESOLVED, that the Tribal Council authorizes the Tribal Chairwoman to execute the Facility Use Agreement, to take any and all actions necessary to implement the Facility Use Agreement

and the Tribe's obligations thereunder, and to take any other such actions necessary to accomplish, consummate, give effect to and enforce the Facility Use Agreement.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom ten (10) constituting a quorum were present at a meeting duly held on the 21st day of October 2022, was adopted by the affirmative vote of seven (7) FOR and zero (0) AGAINST, with two (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.



Brenda A. Henry, Tribal Council Secretary
Pyramid Lake Paiute Tribal Council