

AMENDMENT NO. 1
to
LOCAL AGREEMENT
between
Pokagon Band of Potawatomi Indians,
City of New Buffalo
and
Township of New Buffalo

This Amendment modifies the Local Agreement entered into by and between the Pokagon Band of Potawatomi Indians ("Band"), the City of New Buffalo ("City"), and the Township of New Buffalo ("Township") dated March 13, 2000.

WHEREAS, BAND, the City and the Township are parties to a certain Local Agreement, dated as of March 13, 2000, (the "Agreement") and the parties desire to amend certain provisions of the Agreement upon the terms and subject to the conditions set forth herein;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Amendments. Paragraph I of subsection 24.b of the Agreement shall be deleted in its entirety and the following new Paragraph i shall be inserted in its place:
 - i. Ten percent (10%) of all Pokagon Fund distributions in each fiscal year shall be allocated to distributions in or benefitting the communities surrounding Band trust land consolidation sites in Michigan and Indiana. Such distributions shall be made by the Pokagon Fund at the discretion of the Band Representatives.
2. Severability and Integration. The provisions of this Amendment are severable. If any provision of this Amendment is determined to be invalid or unenforceable, it shall be considered deleted from this Amendment. The invalidity of such provision shall not affect the validity or enforceability of any other provisions, which shall be given effect in the absence of the invalid provision. Where any provision contained in the Agreement is modified by this Amendment, the remaining unaltered portion of such provision shall remain in effect and shall apply to this Amendment. Except as expressly modified by this Amendment, the Agreement and this Amendment shall be considered to be a single, integrated agreement and the provisions of this Amendment and the Agreement shall be read and construed to be consistent with each other.
3. No Other Amendments. Except as expressly amended or waived hereby, all terms and conditions contained in the Agreement, as amended or waived by this Amendment, shall remain unchanged and in full force and effect in accordance with their respective terms. All references in the Agreement to "this Agreement" and "herein" and all references to

the Agreement in any exhibits or attachments to the Agreement and in any documents executed in connection with the Agreement shall mean the Agreement as hereby amended.

4. *Counterparts.* This Amendment may be executed in any number of counterparts, with each counterpart constituting an original, but all of which shall together constitute one and the same instrument. Delivery of an executed counterpart of a signature page to this Amendment by telecopier shall be effective as delivery of a manually executed counterpart of this Amendment.

IN WITNESS WHEREOF, by the signatures of their duly authorized representatives below, the parties hereto acknowledge that they have read, understand and freely accept this Amendment, which shall be effective as of the date that all parties to the Agreement have signed the Amendment.

Pokagon Band of Potawatomi Indians,

By: Matthew Wesaw
Matthew Wesaw, Tribal Chairman

By: Faye Wesaw
Faye Wesaw, Tribal Secretary

Date: 4/3/13

Township of New Buffalo

By: Roseanne D. D. D.
Its: Supervisor

Date: 5/22/13

City of New Buffalo

By: Wanda Peterson
Its: Mayor

Date: 4-17-13