

**TUNICA-BILOXI GAMING AUTHORITY  
D/B/A PARAGON CASINO RESORT  
711 Paragon Place  
Marksville, LA 71351**

**RESOLUTION OF THE GOVERNING BODY  
OF THE TUNICA-BILOXI TRIBE  
OF LOUISIANA**

*A Resolution entitled, "Approval to lease one hundred seventeen (117) square feet of Tribal Trust Lands located on the Tunica-Biloxi Indian Reservation, in Avoyelles Parish to New Cingular Wireless PCS, LLC for a Neutral Host Distributed Antenna System within the Paragon Casino Resort"*

**WHEREAS**, the Tunica-Biloxi Tribe of Louisiana is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

**WHEREAS**, Article VI of the Constitution of the Tunica-Biloxi Tribe of Louisiana provides that the Tunica-Biloxi Tribal Council is the governing body of the Tunica-Biloxi Tribe of Louisiana; and

**WHEREAS**, Article VIII, Section 1 of the Constitution authorizes and empowers the Tribal Council to make assignments and leases of Tribal lands and otherwise to manage tribal lands, interests in Tribal lands, and property upon such lands in conformity with Article VIII, Section 1 of the Constitution; and

**WHEREAS**, the Tunica-Biloxi Gaming Commission has been delegated the authority to administer the provisions of the Tribal Council Resolution and the Tribal-State Compact for the Conduct of Class III Gaming, including licensing vendors and operations within the gaming facility known as the Paragon Casino Resort; and

**WHEREAS**, the Paragon Casino Resort is located on the Tunica-Biloxi Indian Reservation and is a significant, and growing, economic development force in the region; and

**WHEREAS**, the Gaming Commission received a proposal from New Cingular Wireless PCS, LLC to lease one hundred seventeen (117) square feet within the Paragon Casino Resort for a neutral host distributed antenna system, located on tribal trust land for a ten (10) year initial term; and

**WHEREAS**, a neutral host distributed antenna system ("DAS") will provide wireless services to the Casino, its customers and visitors and provides a wireless communications infrastructure sufficient to allow other carriers to sublease and provide service as well; and

**WHEREAS**, the installation of a DAS involves a substantial capital investment by New Cingular Wireless PCS, LLC, but will provide significant benefits to wireless users on or within the Casino's property.

**NOW THEREFORE, BE IT RESOLVED**, That the Tribal Council of the Tunica-Biloxi Tribe of Louisiana hereby affirms and ratifies its approval of the lease for the installation of a neutral host distributed antenna system within the Paragon Casino Resort located on tribal trust land; and

**BE IT FURTHER RESOLVED**, That the Tribal Council of the Tunica-Biloxi Tribe of Louisiana has determined that in light of the substantial capital investment by New Cingular Wireless PCS, LLC to install the DAS, and the significant benefit to the visitors and customers of the Paragon Casino Resort, no lease fee or lease fee equivalent will be due during the term of the Neutral Host Lease Agreement, as negotiated between the parties; and

**BE IT FURTHER RESOLVED**, That, in accordance with 25 C.F.R. §§ 162.420(a) and 162.428(a), the Tribal Council of the Tunica-Biloxi Tribe of Louisiana is satisfied with the rental compensation negotiated between the parties, and waives valuation and periodic review of the adequacy of compensation and/or adjustments as in the best interest of the Tribe; and

**FURTHER, BE IT RESOLVED**, That the Tribal Council of the Tunica-Biloxi Tribe of Louisiana finds that it is in the best interest of the Tribe to forgo the requirement for annual rental and other performance bond under 25 C.F.R. §162.434(a); and

**BE IT FURTHER RESOLVED** that Marshall Pierite, the Chairman of the Tunica-Biloxi Tribe of Louisiana, be and he is hereby authorized and empowered on behalf of the Tunica-Biloxi Tribe of Louisiana to execute a Neutral Host Lease Agreement with New Cingular Wireless PCS, LLC, to install and operate a neutral host Distributed Antenna System located on the Tribe's property at 711 Paragon Place, Marksville, LA 71351, in Section 66, Township 2 North, Range 4 East, in the Parish of Avoyelles, State of Louisiana; that said Chairman is further authorized to execute said act on such terms and conditions, considerations and stipulations as specified, and to sign and deliver such other acts, instruments and documents which may be necessary and appropriate to carry out the purposes of this resolution.

**BE IT FINALLY RESOLVED** that the proposed Neutral Host Lease Agreement set out in this Resolution, if approved in accordance with Article VIII, shall go into effect immediately upon its approval by the Secretary of Interior, or his authorized representative.

#### **CERTIFICATION**

I, the undersigned, as Secretary-Treasurer of the Tribal Council of the Tunica-Biloxi Tribe of Louisiana, hereby certify that the Tribal Council is composed of seven (7) members of whom (5) constitute a quorum, (6) were present and voting at a

[Regular/Special] Meeting thereof duly called, noticed, convened, and held on the 14 day of march, 2019; that the foregoing is a true and correct copy of the resolution passed and adopted at said Meeting, and that said resolution is in full force and effect, without revocation, amendment or change as of the date of this 14 day of march, 2019.

Marshall Pierite

Name: Marshall Pierite  
Title: Tribal Chairman

Beverly Rachal

Name: Beverly Rachal  
Title: Secretary-Treasurer