



**A RESOLUTION OF THE TRIBAL COUNCIL
OF THE DELAWARE TRIBE OF INDIANS TO
AUTHORIZE THE FILING OF AN
AMENDMENT TO THE ARTICLES OF
ORGANIZATION FOR TAHKOX e2, LLC**

RESOLUTION 2015-36

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; including the authority to establish, manage, and control business entities for the benefit of the Delaware Tribe of Indians and its members and,

WHEREAS, it is the policy of the Delaware Tribe to engage in economic development to raise revenue to provide for the health, safety, education, and welfare of its citizens while protecting the assets and property of the Tribe and,

WHEREAS, on December 16, 2015, the Tribal Council adopted Resolution 2014-52 authorizing the filing of Articles of Organization for Tahkox e2, LLC; and ,

WHEREAS, the Tribal Council; and,

WHEREAS, the Delaware Tribal Council of the Delaware Tribe of Indians, as Member of the LLC, adopts this resolution to authorize and determine that the Articles of Organization should be amended as attached hereto.

NOW THEREFORE BE IT RESOLVED, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby authorize and approves the attached Amendment to the Articles of Organization and authorizes the filing of the Amended Articles of Organization to be filed consistent with Tribal Law.

BE IT FURTHER RESOLVED, that the Delaware Tribal Council of the Delaware Tribe of Indians authorizes the waiver of sovereign immunity for Tahkox e2, LLC to the extent as set forth in the attached Articles of Organization.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 16TH day of JUNE 2015 with a vote of 6 yes, 0 no, and 0 abstaining.



Chet Brooks, Chief



Dr. Nicky K. Michael, Secretary



AMENDED
ARTICLES OF ORGANIZATION
OF TAHKOX e2

The undersigned organizer hereby adopts the following **Amendment to the Articles of Organization filed on December 16, 2014:**

ARTICLE I
Name

The name of the Limited Liability Company is: Tahkox e2

ARTICLE II
Principal and Mailing Address

2.01 The complete street address of the initial designated principal office is:
601 S. High Street, Suite 5
Caney, KS 67333

2.02 The complete mailing address is:

601 S. High Street, Suite 5
Caney, KS 67333

ARTICLE III
Registered Agent

3.01 The name of the initial registered agent is:

Jimmy Johnson

3.02 The street address of the registered agent is:

601 S. High Street, Suite 5
Caney, KS 67333

ARTICLE IV

Statement of Acceptance by Registered Agent

I, Dr. Nicky Kay Michael, hereby acknowledge that the undersigned individual accepts the appointment as initial Registered Agent of Tahkox e2, the Limited Liability Company which is named in these Articles of Organization.

s/Nicky Kay Michael
Registered Agent

ARTICLE V

Duration

The Limited Liability Company shall commence upon the filing of the Articles of Organization with the Secretary of the Tribe, and shall continue indefinitely until terminated sooner by operation of law.

ARTICLE VI

Management

The business of the Limited Liability Company shall be managed by one or more Managers appointed by the Member. The Manager(s) will oversee the day-to-day operations of the Company.

ARTICLE VII

Member

The Delaware Tribal Council on behalf of the Delaware Tribe of Indians.

Address for the Tribal Council is:
601 S. High Street, Suite 5
Caney, KS 67333

ARTICLE VIII

Initial Contribution

The initial contribution by the Member shall be Ten Thousand Dollars (\$10,000.00).

ARTICLE IX

Purpose

The Limited Liability Company has been formed under the Delaware Tribe of Indians Limited Liability Companies Act, for the purpose of engaging in any lawful business for which limited liability companies may be organized under the Act.

This Limited Liability Company shall be a for profit entity.

The Delaware Tribe of Indians Tribal Council, the sole member of the Limited Liability Company, agrees that Tahkox e2 may sue and be sued in any of the United States Federal courts, which are hereby designated to be among the courts of competent jurisdiction, for all matters relating to SBA's programs including, but not limited to, 8(a) program participation, loans and contract performance. The authority provided herein is not intended to, nor shall it be construed to, waive the immunity of Tahkox e2, its Member, the Delaware Tribe of Indians, or any agency thereof, for any other purposes not specifically mentioned herein. This waiver is granted solely for the purposes required by 13 CFR 124.109, and it shall not be interpreted to grant any rights to parties other than those intended by this regulation. Further, any recovery under this waiver of sovereign immunity shall be limited to the assets of Tahkox e2.

ARTICLE X

Liability

Pursuant to the Delaware Tribe of Indians Limited Liabilities Companies Act, any and all debts, obligations or other liabilities of Tahkox e2 are solely the responsibility of the Limited Liability Company. Any manager or member of Tahkox e2, LLC is hereby not personally liable for such debts or liabilities solely by reason of their title.

ARTICLE XI

Organizer

I, Dr. Nicky Kay Michael, residing at
601 S. High Street, Suite 5
Caney, KS 67333

execute these **Amended** Articles of Organization dated this **16th** day of **June, 2015**.

Secretary, Delaware Tribe of Indians

