

FINANCIAL SETTLEMENT AGREEMENT

BETWEEN

THE MOHAWK COUNCIL OF KAHNAWÀ:KE
(hereinafter referred to as “Kahnawà:ke”)

AND

THE GOUVERNEMENT DU QUÉBEC
(hereinafter referred to as “Québec”)

(hereinafter referred to collectively as “the Parties”)

THE PARTIES AGREE AS FOLLOWS:

PREAMBLE

WHEREAS Québec transferred the usufruct of some 500 acres of land along Highway 30 and chemin Saint-Bernard in 2013, after which the lands were added to the reserve by the Government of Canada at the end of a process to add land to the reserve;

WHEREAS the transfer of said 500 acres included the rights necessary to ensure that at the conclusion of the addition to reserve process, the status of the transferred lands and the rights exercised over them would be no different from the status of the current reserve lands and the rights that could be exercised over them;

WHEREAS Québec has undertaken to support the economic development of the lands added to the reserve along Highway 30 and chemin Saint-Bernard;

WHEREAS Kahnawà:ke has purchased 17 acres of land at the intersection of Route 207 and Highway 30, at a cost of One Million Three Hundred and Sixty-Eight Thousand (\$1,368,000.00) dollars, in order to allow access to Parcel D for the purposes of economic development;

WHEREAS Québec has undertaken to reimburse Kahnawà:ke for the purchase of the 17 acres of land at the intersection of Route 207 and Highway 30 in order to allow access to Parcel D of the lands added to the reserve and to allow for its economic development;

OBJECT OF THE AGREEMENT

1. The preamble forms an integral part of this agreement.
2. This Agreement gives effect to the desire of the Parties to satisfy the commitment-made by Québec toward Kahnawà:ke to reimbursement the sums disbursed by Kahnawà:ke for the purchase of the 17 acres of land allowing access to Parcel D of the lands.

UNDERTAKINGS OF THE PARTIES

3. Québec will reimburse One Million Three Hundred and Sixty-Eight Thousand (\$1,368,000.00) dollars disbursed by Kahnawà:ke to purchase the said 17 acres of land to give access to Parcel D of the lands added to the reserve along Highway 30, within a reasonable time after Kahnawà:ke provides Quebec with the following documents:

- a) Transfer of Land in an Indian Reserve between the previous interest holders and the Mohawks of Kahnawà:ke;
- b) The Mohawk Council Executive Directive #46/2013-2014 transferring said land to the Common;

4. The Parties agree that the reimbursement of One Million Three Hundred and Sixty-Eight Thousand (\$1,368,000.00) dollars constitutes a full, definitive, fair and equitable settlement of Québec's commitment to Kahnawà:ke with respect to accessing Parcel D for the purposes of economic development. Kahnawà:ke gives Québec full release and discharge therefor.

FINAL PROVISIONS

5. The Parties agree that this Agreement has been made without prejudice to their respective positions on the claims of the Mohawks of Kahnawà:ke regarding ancestral and treaty rights.

6. Québec's financial undertakings herein are subject to the annual adoption of the relevant appropriations by the National Assembly and their availability, pursuant to s. 21 of the *Financial Administration Act* (CQLR c. A-6.001).

7. This Agreement is neither a treaty nor an agreement on overall claims within the meaning of ss. 25 and 35 of the *Constitution Act, 1982* (Schedule B of the *Canada Act 1982, 1982, c. 11 U.K.*), and is not to be interpreted in any way as having the effect of abrogating, derogating from, negating or recognizing any ancestral rights, treaty rights, or any other rights.

WHEREFORE the parties declare that they have read this agreement and signed as follows:

**For the Mohawk Council of
Kahnawà:ke**

For the Gouvernement du Québec

Joseph Tokwiro Norton
Grand Chief

Sylvie D'Amours
Minister responsible for Native Affairs

At Kahnawà:ke

At Quebec

This 29th day of March
of the year 2019

This 29 day of march
of the year 2019

Sonia DeBel
Minister responsible for Canadian
Relations and the Canadian
Francophonie

At Quebec

This 16th day of april
of the year 2019