

COMMISSIONER'S ORDER NO.

Community Development

A Commissioner's Order establishing the condemnation of a particular site with an appeals process.

WHEREAS, the Mille Lacs Band of Chippewa Indians is a signatory and successor of the Treaty of 1837, 7 Stat. 536, also the Treaty of 1842, 7 Stat. 591, and the Treaty of 1855, 10 Stat. 1165, and

WHEREAS, the Mille Lacs Band has the power to maintain a government that may enact laws to preserve the sovereignty of the Band and to promote and maintain individual rights and the general welfare of the people of the Band pursuant to Title 2, Chapter 1 MLBSA § 1.

WHEREAS, the Commissioner of Community Development was assigned the power to provide an effective system of administration in order to plan, direct and evaluate the functions of Community Development, Public Works, Facilities and Transportation for the Mille Lacs Band pursuant to ordinance 20-97 § 4(a);

WHEREAS, pursuant to Ordinance 20-97, Chapter 2 § 4, the Commissioner of Community Development has the authority to ensure the safety of all buildings and facilities within the jurisdiction of the Mille Lacs Band;

WHEREAS, the Commissioner of Community Development has the authority to issue Commissioner's Orders on any subject matter within his jurisdiction pursuant to the authority conferred by Band Statute 4 MLBSA § 7(h);

WHEREAS, the Commissioner of Community Development has the authority to take measures necessary to prevent any action that threatens the well-being of programs within his jurisdiction by issuance of a formal Commissioner's Order pursuant to 4 MLBSA § 7(i), and

WHEREAS, the Commissioner of Community Development has the authority to exercise any and all authority conferred pursuant to any and all Band Statutes pursuant to 4 MLBSA § 7(j),

WHEREAS, under Resolution No. 2-72, the Mille Lacs Reservation Business Committee decreed that agreements permitting the construction or use of buildings on Band lands may be rescinded where such improvements to land stand vacant for longer than three (3) months, and the owner has not stated an intent to return. The property shall become Band property by reassignment. An owner may claim their property

interests, but must do so in writing within thirty (30) days from the date that a notice is issued canceling the prior agreement.

WHEREAS, a vacancy of greater than three (3) months, and a failure to maintain property, would be a violation of the decree to not commit property to waste under Resolution No. 2-72.

WHEREAS, allowing such unsafe structures to remain standing would constitute a threat to the safety and welfare of the people of the Mille Lacs Band.

WHEREAS, nothing within this Order or the application of the decree shall be construed by any government, agency, person or circumstance as a waiver by the Non-Removable Mille Lacs Band of Chippewa Indians of the solemn special trust obligation of the United States of America.

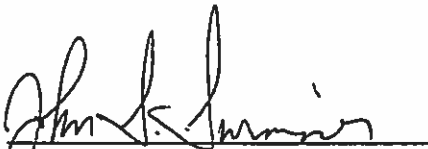
NOW THEREFORE IT IS HEREBY ORDERED, by the authority vested in me by the Mille Lacs Band of Ojibwe, Al Olson, Commissioner of Community Development for the Mille Lacs Band of Ojibwe, hereby adopt the attached regulations.

1. That the structure located at 17112 Wabashikiki Drive, Onamia, MN 56359 be condemned and destroyed for utilization of sites for purposes chosen by Community Development. The site is commonly known as the Kalen Nickaboine structure.
2. Any parties claiming an interest in the property mentioned above shall have thirty (30) working days from this notice to appeal, in writing, to the Commissioner of Community Development. The appeal must clearly state the party's interest and the adverse impact this ruling shall have on the party. Appeals received after the deadline noted above shall not be considered. The decision of the Commissioner of Community Development shall be final and binding in this matter.

Dated at Vineland, Minnesota this 28 day of Sept in the year 2005.


Al Olson
Commissioner of Community Development

APPROVE AS TO FORM,
EXECUTION AND NUMBERING


Solicitor General

OFFICIAL SEAL OF THE BAND