



THE MILLE LACS BAND OF  
**OJIBWE INDIANS**

*Legislative Branch of Tribal Government*

**SPECIAL REVENUE  
RESOLUTION 20-04-03-23**

**A SPECIAL REVENUE RESOLUTION AUTHORIZING THE  
COMMISSIONER OF FINANCE TO EXECUTE, DELIVER, AND CAUSE  
THE PERFORMANCE OF A LEASE SUBORDINATION, NON-  
DISTURBANCE, AND ATTORNMENT (SDNA) AGREEMENT  
BETWEEN THE MILLE LACS BAND OF OJIBWE, HINCKLEY  
MEDICAL, LLC, AND PINE MEDICAL CENTER**

- WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe (“Band”), a federally recognized Indian tribe;
- WHEREAS, according to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to “adopt resolutions” and “ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;”
- WHEREAS, according to 3 MLBS § 1(m), a resolution is defined as “a formal expression of opinion, will, or intention voted on by the Band Assembly;”;
- WHEREAS, The Band approved a loan to Mille Lacs Corporate Ventures (“MLCV”) to fund the construction, equipping, operation and leasing of the Hinckley Medical Building (the “Property”) located at 45 Lady Luck Dr, Hinckley, MN 55037 and a mortgage was executed between the Band and Hinckley Medical LLC, a subsidiary of MLCV, with the Band as mortgage holder for the Property;
- WHEREAS, MLCV, through its subsidiary, Hinckley Medical, LLC, has negotiated a new Master Lease agreement with Pine Medical Center, a Minnesota nonprofit corporation, to lease the Property, which will improve rental income and provides Pine Medical Center a right of first refusal to purchase the Property within two years;
- WHEREAS, Hinckley Medical, LLC and Pine Medical Center have executed and a signed lease agreement with Pine Medical Center taking occupancy as early as December 2023;
- WHEREAS, as part of the negotiated terms, Pine Medical Center requested a Lease Subordination, Non-Disturbance, and Attornment (SDNA) Agreement be executed and signed by Hinckley Medical, LLC, Pine Medical Center, and the Band, as mortgagee of the existing mortgage for the Property;
- WHEREAS, the Band Assembly has determined that it is in the best interest of the Band to execute the SDNA Agreement to accommodate the terms of the new Master Lease.

**DISTRICT I**

43408 Oodena Drive • Onamia, MN 56359  
(320) 532-4181 • Fax (320) 532-4209

**DISTRICT II**

36666 State Highway 65 • McGregor, MN 55760  
(218) 768-3311 • Fax (218) 768-3903

**DISTRICT IIA**

2605 Chiminising Drive • Isle, MN 56342  
(320) 676-1102 • Fax (320) 676-3432

**DISTRICT III**

45749 Grace Lake Road • Sandstone, MN 55072  
(320) 384-6240 • Fax (320) 384-6190

**URBAN OFFICE**

1404 E. Franklin Avenue • Minneapolis, MN 55404  
(612) 872-1424 • Fax (612) 872-1257

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive do hereby authorize and direct the Commissioner of Finance, on behalf of the Band, to execute, deliver, and cause the performance of the SNDA agreement and any additional documents related thereto that the Commissioner of Finance may determine to be required for the execution of the SDNA Agreement and in furtherance of the Band's interests in the new Master Lease;

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 27<sup>th</sup> day of November, 2023, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereby affix our signatures to this Special Revenue Resolution in accordance with 22 MLBS § 102.

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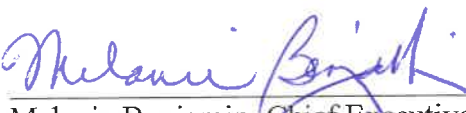
  
Sheldon Boyd, Speaker of the Assembly

  
Virgil Wind, District I Representative

  
Wendy Merrill, District II Representative

  
Harry Davis, District III Representative

IN CONCURRENCE, with the action of the Band Assembly, I hereby set my hand to this Special Revenue Resolution in accordance with 22 MLBS § 102.

  
Melanie Benjamin, Chief Executive

**OFFICIAL SEAL OF THE BAND**



**Sponsor: District I Representative**