



MILLE LACS BAND OF CHIPPEWA INDIANS
Executive Branch of Tribal Government

RESOLUTION 04-04-24-92

A RESOLUTION GRANTING AND APPROVING A LEASE BETWEEN THE MILLE LACS BAND AND THE CORPORATE COMMISSION OF THE MILLE LACS BAND, A CONSENT TO THE MORTGAGE OF THE LEASEHOLD INTEREST BY THE CORPORATE COMMISSION, AND A CERTIFICATE OF NO HAZARDOUS WASTE FOR A PARCEL OF LAND IN DISTRICT I OF THE RESERVATION TO BE USED FOR A COMMERCIAL GAMING ESTABLISHMENT

- WHEREAS, The Chief Executive of the Mille Lacs Band of Chippewa Indians (the "Band") is empowered by Band Statute 1142-MLC-3 Section 7.06 to act as the custodian of all Band property; and,
- WHEREAS, The Corporate Commission of the Mille Lacs Band of Chippewa Indians (the "Commission") is empowered to enter into contractual agreements for purposes of improving the economy of the Reservation; and,
- WHEREAS, The Peoples Bank of Commerce, a Minnesota Banking Corporation (the "Bank"), has agreed to make a loan to the Commission in the amount of \$5,000,000 (the "Loan") to partially fund the expansion of the Grand Casino Mille Lacs (the "Project"); and,
- WHEREAS, The Commission and the Band have negotiated the attached Business Lease between the Mille Lacs Band of Chippewa Indians and the Corporate Commission of the Mille Lacs Band of Chippewa Indians for property held in trust by the United States of America for the benefit of the Band (the "Lease"), which is attached and incorporated herein by reference; and,
- WHEREAS, As security for the Loan, the Commission has agreed to mortgage its interest in the property subject to the Lease to the Bank pursuant to that certain Leasehold Mortgage, Security Agreement, Fixture Financing Statement and Assignment of Leases and Rents (the "Mortgage"), which is attached and incorporated herein by reference; and,
- WHEREAS, As further inducement for the Loan, the Band has negotiated the terms of the Certificate of No Hazardous Waste to be executed and delivered to the Bank by the Commission and Band for the land underlying the Project, a copy of which Certificate of No Hazardous Waste is attached and incorporated herein by reference; and,
- WHEREAS, The Chief Executive is empowered by Band Statute 1142-MLC-3 Section 7.04 to "recommend agreements... to the Band Assembly for ratification"; and,
- WHEREAS, The Chief Executive, via this resolution, approves of the Lease, the Certificate of No Hazardous Waste, and the Consent to the Mortgage, and forward the same to the Band Assembly for ratification; and,
- WHEREAS, The Band Assembly has reviewed the substance of the Lease, the Mortgage, and the Certificate of No Hazardous Waste, and concludes that entering into the Lease with the Commission, consenting to the Mortgage by the Commission and executing the Certificate of No Hazardous Waste is in the best interests of the Band.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive of the Band, pursuant to powers contained in Band Statute 1142-MLC-3 Section 7.06 hereby enters into the attached Lease with the Commission and, pursuant to Band Statute 1142-MLC-3 Section 7.04, forwards the same to the Band Assembly for ratification.

BE IT FURTHER RESOLVED, that the Band Assembly, pursuant to Band Statute 1141-MLC-2 Section 5.05, ratifies the Lease Agreement between the Commission and the Band.

BE IT FURTHER RESOLVED, that the Chief Executive of the Band, pursuant to powers contained in Band Statute 1142-MLC-3 Section 7.06, hereby executes the Consent to the Mortgage, and pursuant to Band Statute 1142-MLC-3 Section 7.04, forwards the same to the Band Assembly for ratification.

BE IT FURTHER RESOLVED, that the Band Assembly, pursuant to Band Statute 1141-MLC-2 Section 5.05, ratifies the Band's Consent to the Mortgage.

BE IT FURTHER RESOLVED, that the Chief Executive of the Band, pursuant to powers contained in Band Statute 1142-MLC-3 Section 7.06, hereby executed the Certificate of No Hazardous Waste with the Commission on behalf of the Bank.

BE IT FURTHER RESOLVED, that the Band Assembly, pursuant to Band Statute 1141-MLC-2 Section 5.05, ratifies the execution of the Certificate of No Hazardous Waste by the Band.

IN WITNESS WHEREOF, we, the Administrative Policy Board hereunto cause to have set the signature of the Chief Executive to be affixed to this resolution and forwarded to the Band Assembly for concurrence.


Marge Anderson, Chief Executive

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 7th day of January, 1992 at Vineland, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

In concurrence with the action of the Chief Executive we, the Band Assembly hereunto cause to have set the hand of the Speaker of Assembly to this resolution.


David G. Matrious, Speaker of Assembly

OFFICIAL SEAL OF THE BAND