



## MILLE LACS BAND OF CHIPPEWA INDIANS

*Legislative Branch of Tribal Government*

### RESOLUTION 05-03-90-93

A RESOLUTION RATIFYING CERTAIN AMENDMENTS TO AGREEMENTS BETWEEN THE CORPORATE COMMISSION OF THE MILLE LACS BAND OF OJIBWE INDIANS AND THE MILLE LACS GAMING CORPORATION, INCLUDING THE MANAGEMENT AGREEMENT THE LOAN AGREEMENT, A SERIES OF SIX AMENDED AND RESTATED PROMISSORY NOTES, AND RESTAURANT AND RV PARK NOTES FOR THE GRAND CASINO HINCKLEY; AND REVOLVING PROMISSORY NOTES FOR THE GRAND CASINO MILLE LACS AND THE GRAND CASINO HINCKLEY.

- WHEREAS, pursuant to Band Statute 1202-MLC-16, Section 5.04 (b) the Corporate Commission of the Mille Lacs Band of Ojibwe Indians (the "Commission") is empowered to enter into contractual agreements for purposes of improving the economy of the Reservation; and,
- WHEREAS, the Commission has entered into certain Amended and Restated Management and Construction agreements dated effective as of September 10, 1990 (the "Agreement") with Mille Lacs Gaming Corporation (the "Manager") for the management of the Grand Casino Hinckley; and,
- WHEREAS, the Commission and the Manager (via Corporate Commission Resolution 02-93-0001) have agreed to amend the Agreement to reflect changes in the scope of the project planned thereunder pursuant to the Second Amendment to the Agreement which is attached and incorporated herein by reference; and,
- WHEREAS, in addition to such Second Amendment to the Agreement, the Commission and Manager (via Corporate Commission Resolution 02-93-0001) have agreed to amend the Amended and Restated Loan Agreement (the "Loan Agreement") which is part of the Agreement as Appendix B thereto, and the Amended and Restated Note which is part of the Agreement as Appendix C thereto, pursuant to the Second Amendment to the Loan Agreement and the series of six (6) Casino Notes in the aggregate amount of \$8,931,765.49, all of which are attached and incorporated herein by reference; and,
- WHEREAS, also in addition to such Second Amendment to the Agreement, the Commission and the Manager (via Corporate Commission Resolution 02-93-0001) have agreed to the terms of a Restaurant Note and RV Park Note in the amounts of \$2,218,396.40 and \$3,088,468.13, respectively, to purchase the improvements comprising the restaurant and recreational vehicle park constructed near Grand Casino Hinckley, both of which are attached and incorporated herein by reference; and,
- WHEREAS, the Manager has agreed to make revolving loans to the Commission in the amount of \$ 5,000,000 and \$ 2,000,000 to fund working capital for the Grand Casino Hinckley and the Grand Casino Mille Lacs, respectively, pursuant to the Mille Lacs Revolving Note and the Hinckley Revolving Note; and,

WHEREAS, the Band Assembly has reviewed the substance of the Second Amendment to the Agreement, the Second Amendment to the Loan Agreement, the Series of Six (6) Casino Notes, the Restaurant Note, the RV Park Note, all for the Grand Casino Hinckley, and the Mille Lacs Revolving Note for the Grand Casino Mille Lacs and the Hinckley Revolving Note for Grand Casino Hinckley and concludes that entering into the Second Amendment to the Agreement, the Second Amendment to the Loan Agreement, the Series of Six (6) Casino Notes, the Restaurant Note, the RV Park Note, all for the Grand Casino Hinckley, and the Mille Lacs Revolving Note for the Grand Casino Mille Lacs and the Hinckley Revolving Note for Grand Casino Hinckley is in the best interest of the Band.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly, pursuant to Band Statute 1142-MLC-2, Section 5.05 ratifies the Second amendment to the Agreement, the Second Amendment to the Loan Agreement, the Series of Six (6) Casino Notes, the Restaurant Note, the RV Park Note, all for the Grand Casino Hinckley, and the Mille Lacs Revolving Note for the Grand Casino Mille Lacs, and, upon funding by the Manager, the Hinckley Revolving Note for the Grand Casino Hinckley.

BE IT FURTHER RESOLVED, that Doug Twait, as the Commissioner of Corporate Affairs, is hereby authorized and directed to execute and deliver the above referenced documents and such other documents and take such other actions as may be necessary and appropriate to carry out the foregoing resolution, the acceptability and approval of said documents by the Commission to be conclusively evidenced by the execution of such documents by Doug Twait, as the Commissioner of Corporate Affairs.

BE IT FURTHER & FINALLY RESOLVED, that the above referenced documents are all forwarded to the Bureau of Indian Affairs (BIA) requesting their expeditious approval.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 18th day of February, 1993 at Hinckley, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of Assembly to be affixed to this resolution.

  
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David Matrious, Speaker of Assembly

IN CONCURRENCE, with the action of the Speaker of Assembly, we, the Administrative Policy Board hereunto cause to have set the hand of the Chief Executive to this resolution.

  
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Marge Anderson, Chief Executive