



**THE MILLE LACS BAND OF
OJIBWE INDIANS**

Legislative Branch of Tribal Government

RESOLUTION 09-04-57-01

**A RESOLUTION MODIFYING RESOLUTION 08-04-95-99
AUTHORIZING A LAND LEASE TO CORPORATE COMMISSION**

- WHEREAS, the Mille Lacs Band Assembly is the duly-elected governing body of the Mille Lacs Band of Ojibwe, a federally-recognized Indian Tribe; and,
- WHEREAS, tribal leases are required for the purposes of a homesite, agricultural and seasonal recreational residence, any commercial activity or acquiring financing for a home on all tribal lands of the Mille Lacs Reservation; and,
- WHEREAS, the lease will be for a period of 5 years and renewable for an additional 5 years subject to the lease provisions, effective upon date of approval, for the purpose of commercial development to be located on the property described herein; and,
- WHEREAS, the land description incorrectly included Tract # 410 TF 42; and,
- WHEREAS, the land had not been surveyed; and,
- WHEREAS, said land description should be modified as follows:

That part of Tract #'s 410 TF 69 and 410 TF 154, located in the Southwest one-quarter (SW $\frac{1}{4}$) of Section Twenty (20), Township Forty-seven North (T47N), Range Twenty-three West (R23W), Fourth Principal Meridian, Aitkin County, Minnesota, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence on an assumed bearing of North 89 degrees 29 minutes 04 seconds East, along the south line of said Southwest Quarter, a distance of 91.10 feet to the east line of State Highway Number 65; thence North 00 degrees 31 minutes 10 seconds West, along said east line of State Highway Number 65, a distance of 33.00 feet to the intersection with the north line of County Road Number 13 and the point of beginning of the land to be described; thence continuing North 00 degrees 31 minutes 10 seconds West, along said east line of State Highway 65 a distance of 387.07 feet; thence North 89 degrees 26 minutes 20 seconds East a distance of 210.74 feet; thence North 00 degrees 33 minutes 40 seconds West a distance of 200.00 feet; thence South 89 degrees 26 minutes 20 seconds West a distance of 210.59 feet to said east line of State Highway Number 65; thence North 00 degrees 31 minutes 10 seconds West, along said east line of State Highway Number 65, a distance of 965.99 feet; thence North 89 degrees 31 minutes 49 seconds East a distance of 199.38 feet; thence South 00 degrees 28 minutes 11 seconds East a distance of 200.00 feet; thence North 89 degrees 31

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minute 49 seconds East a distance of 200.00 feet; thence South 00 degrees 31 minutes 10 seconds East, parallel with said east line of State Highway Number 65, a distance of 1,381.62 feet to said north line of County Road 13; thence South 89 degrees 29 minutes 04 seconds West, along said north line a distance of 399.22

feet to the point of beginning. The lease site is approximately 12.61 acres, more or less. Westwood Wellen Associates Survey # 20015108 dated June 11, 2001.

WHEREAS, the lease rental was incorrectly indicated to represent 10% of fair market or appraised value and should read, "the annual business lease rental fee is to represent the greater of the amount of property taxes assessed for the property for the previous year or 2% of net income after income taxes for the previous calendar year of the business operating under the terms of this lease, and there is a \$2.00 lease processing fee."

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby authorizes modification of the lease for the property described herein to be issued to Corporate Commission, through Resolution #08-04-95-99. All other terms and conditions shall remain the same and the only change will be to reflect the surveyed lease site description and the annual business lease rental fee to represent the greater of the amount of property taxes assessed for the property for the previous year or 2% of net income after income taxes for the previous calendar year of the business operating under the terms of this lease, and there is a \$2.00 lease processing fee, effective upon date of approval; and,

BE IT FURTHER RESOLVED, that the lessee will utilize the land in conformity with the provisions of the lease within twelve (12) months of the effective date of the lease, and if all terms of the lease are not met, the land will revert back to the Mille Lacs Band of Ojibwe; and,

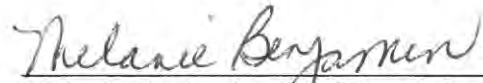
BE IT FURTHER AND FINALLY RESOVLED, that this lease shall be null and void should the lessee abandon or vacate the above-described property for more than thirty (30) consecutive days after the 1st year anniversary of the effective date of the lease without the prior approval of the Band Assembly; and,

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 12th of July 2001 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 the Assembly to be affixed to this resolution and forwarded to the Chief Executive for Concurrence.


Herb Weyaus, Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I, set my hand to this resolution.


Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND