



**THE MILLE LACS BAND OF
OJIBWE INDIANS**

Legislative Branch of Tribal Government

RESOLUTION 09-04-83-01

**A RESOLUTION AUTHORIZING A UTILITY EASEMENT FOR THE
CITY OF HINCKLEY IN PINE COUNTY, MINNESOTA**

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, the city of Hinckley, a political subdivision of the State of Minnesota respectfully requests a temporary slope and a permanent utility easement affecting tracts of Band fee simple and trust lands, for construction and maintenance of sanitary sewer and water systems, as proposed in the construction plans for City of Hinckley Project Number 142-00-101, attached hereto as Exhibits A & B, and made a part of this instrument; and,

WHEREAS, a limited utility easement is to be authorized for the City of Hinckley for the aforementioned purposes only; and,

WHEREAS appraisal and consideration for the limited easement is to be waived, and said easement is to be issued in perpetuity, subject to the terms of the easement agreement, effective upon date of approval, for the property described herein; and,

WHEREAS, said land is described as affecting the following tracts, as detailed on Exhibits A & B, attached hereto and made a part of this instrument;

Permanent Easement area: Tract #'s: 410 TF 49 & 410 TF 115

Temporary Slope Easement area: 410 TF 49, 410 TF 115 & 410 T 1016; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby authorizes a limited utility easement to the City of Hinckley, a political subdivision of the State of Minnesota, for the construction and maintenance of sanitary sewer and water systems, as proposed in the construction plans for City of Hinckley Project Number 142-00-101, attached hereto as Exhibits A & B, and made a part of this instrument, on the above described property, appraisal and consideration for said limited utility easement is hereby waived, and the easement is issued in perpetuity, subject to the terms of the easement agreement, effective upon date of approval, for the property described herein; and,

DISTRICT I

HCR 67, Box 194 • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

Route 2 • Box 58 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT III

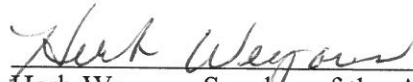
Route 2 • Box 233-N • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

BE IT FURTHER RESOLVED, that the City of Hinckley will utilize the land in conformity with the provisions of the utility easement agreement, and if all terms of the agreement are not met, the land will revert back to the Mille Lacs Band of Ojibwe; and,

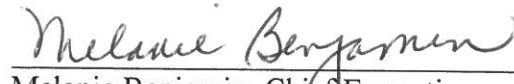
BE IT FURTHER RESOLVED, that the easement shall be null and void should the City of Hinckley abandon or vacate the above-described property and the subject property will automatically revert to the Mille Lacs Band of Ojibwe; and,

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, 2000 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