



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 11-01-74-04

A RESOLUTION DETERMINING THE STATUS OF A PART OF TRACT # 410 T 1013 AS FURTHER DESCRIBED HEREIN.

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, Title 3 Mille Lacs Band Statutes Annotated section 1 states that, "[t]he Band Assembly is and shall be the body referred to in the Constitution as the Reservation Business Committee;" and

~~WHEREAS, Title 3 Mille Lacs Band Statutes Annotated section 2 states that "[i]t shall be the authority and duty of the Legislative Branch to enact laws which regulate internal and external affairs of the Mille Lacs Bands in order to promote the general welfare of the people. The Band Assembly shall have power: (d) To adopt resolutions; and (f) To ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding; and~~

WHEREAS, land leases are agreements as defined in Title 3 Mille Lacs Band Statutes Annotated section 2(f); and

WHEREAS, land leases are required on all Band lands of the Mille Lacs Band of Ojibwe for agricultural purposes, to establish a home-site or a seasonal recreational residence, and for any commercial activity, or to acquire financing for a home; and

WHEREAS, Resolution #20-83, approved the request of [REDACTED] for leasing of the property described herein and requested the Bureau of Indian Affairs to complete all necessary transactions in order that the lease be issued; and

WHEREAS, said land described in Resolution #20-83 is described as follows:

That part of Tract # 410 T 1013

Described as part of the Northeast quarter of the Southwest quarter (NE ¼ SW ¼) of Section 21, Township 47 North, Range 23 West, Aitkin county of Minnesota, 4th Principal Meridian and included is the above mentioned home-site and Lot 1 described as: Commencing at the SW corner of said Section 21, thence North 00 degrees 04 minutes 15 seconds east assumed bearing, 1552.85 feet along the West line of said SW quarter of Section 21, said line also being the center of a public roadway, to point "a" said point being on the centerline of the now abandoned Soo Line Railroad; thence easterly along said centerline which bears

approximately South 89 degrees 14 minutes 36 seconds East 1625.62 feet to point "B", thence continuing Easterly along said centerline, which bears approximately 87 degrees 37 minutes 27 seconds East 589.34 feet to point "C"; being the point of beginning of the tract to be described; thence continuing along said centerline south 87 degrees 37 minutes 27 seconds East 208.71 feet to point "D", thence North 01 degrees 54 minutes 46 seconds East 258.71 feet; thence North 87 degrees 37 minutes 27 seconds West 208.71 feet; thence south 01 degrees 54 minutes 46 seconds West 258.71 feet to the point of beginning, containing 1.24 acres more or less, subject to easements, Reservations or restrictions of record, if any. And together with a 40.00 foot easement for ingress and egress, being 20.00 feet on either side of the described centerline: Beginning at said Point "A"; thence easterly along the previously described course to point "B" thence easterly along the previously described course to point "C"; thence easterly along the previously described course to point "D" and there terminating.

WHEREAS, the Mille Lacs Band, the Minnesota Chippewa Tribe, and the Bureau of Indian Affairs have no record or copy of such lease; and

WHEREAS, the Mille Lacs Band Commissioner of Natural Resources requested [REDACTED] to produce a copy of the lease as evidence that a lease for such Tract existed and if he had no copy, then he should apply to the Commissioner for a lease pursuant to Band law; and

WHEREAS, [REDACTED] has not produced a copy of the lease; and

WHEREAS, [REDACTED] has refused to apply for a new lease.

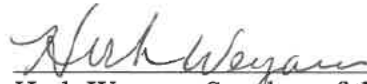
NOW, THEREFORE, BE IT RESOLVED, that there is no evidence that a lease between the Band and [REDACTED] has ever been executed.

BE IT FURTHER RESOLVED, that [REDACTED] either produce an existing lease or apply to the Commission of Natural Resources for a new lease pursuant to Band law.

BE IT FURTHER RESOLVED, that if [REDACTED] does not comply with this resolution, he has no property rights in the Tract described herein.

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 8th of July 2004 at Isle, 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



Herb Weyaus, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND