



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 11-01-35-04

A RESOLUTION AUTHORIZING A LAND LEASE FOR A BUSINESS (WIGWAM BAY BUILDERS) TO [REDACTED] AND [REDACTED] AS CO-OWNERS

- 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 land leases are required on all tribal 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, a business lease has been requested by [REDACTED] on Tract # 410 T 126 & 410 T 1032; and
- WHEREAS, the lease will be for Wigwam Builders, a commercial and residential construction company, of which [REDACTED] is co-owner along with [REDACTED]; 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, said land is described as follows:

Part of Tract 410 T 126 & 410 T 1032, located in that part of the South One half (S ½) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼), Section Seventeen (17), Township Forty three (T43N), Range Twenty seven (R27), Fourth Principal Meridian, Mille Lacs County, Minnesota, described as follows:

Commencing at the Northeast corner of said Northeast Quarter of the Southwest Quarter of the Southeast Quarter; thence South 00 degrees 46 minutes 09 seconds East, assumed bearing along the east line of said Northeast Quarter of the Southwest Quarter of the Southeast Quarter, a distance of 652.00 feet, to the Southeast corner of said South Half of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter, the point of beginning of the land to be described; thence North 89 degrees 40 minutes 39 seconds West, along the south line of said South Half of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter, a distance of 326.52 feet, to the northwest corner of the East

Half of the Southeast Quarter of said Southwest Quarter of the Southeast Quarter; thence north 89 degrees 41 minutes 51 seconds West, continuing along said south line of the South Half of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter, a distance of 326.44 feet; to the southwest corner of said South Half of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter; thence north 00 degrees 39 minutes 51 seconds West, along the west line of said South Half of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter, a distance of 256.54 feet, thence South 89 degrees 54 minutes 20 seconds East a distance of 372.04 feet; thence South 88 degrees 54 minutes 34 seconds east a distance of 240.55 feet; thence easterly a distance of 115.19 feet along a non tangential curve concave to the south, having a radius of 2116.78 feet, a central angle of 03 degrees 07 minutes 05 seconds and the chord of said curve bears South 85 degrees 16 minutes 18 seconds East, to a point on the east line of said Northeast Quarter of the Southwest Quarter of the Southeast Quarter, distant 406.34 feet south from said northeast corner of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter; thence south 00 degrees 46 minutes 09 seconds East, along said east line, a distance of 245.66 feet to the point of beginning, together with that part of the Southeast Quarter of the Southeast Quarter of Section 17, Township 43, Range 27, Mille Lacs County, Minnesota, described as follows:

Commencing at the southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 01 degrees 07 minutes 23 seconds West, assumed bearing along the east line of said Southeast Quarter of the Southeast Quarter, a distance of 790.34 feet; thence South 88 degrees 52 minutes 37 seconds West a distance of 531.22 feet; thence South 26 degrees 59 minutes 28 seconds West a distance of 500.00 feet; thence North 57 degrees 39 minutes 44 seconds West a distance of 284.49 feet, to the point of beginning of the land to be described; thence South 88 degrees 42 minutes 07 seconds West a distance of 301.00 feet, to the west line of said Southeast Quarter of the Southeast Quarter; thence North 00 degrees 47 minutes 29 seconds West, along said west line, a distance of 428.53 feet, to a point on said west line distant 406.34 feet south from the northwest corner of said Southeast Quarter of the Southeast Quarter; thence easterly a distance of 234.12 feet along a non-tangential curve concave to the south, having a radius of 2116.78 feet, a central angle of 06 degrees 20 minutes 13 seconds and the chord of said curve bears South 80 degrees 32 minutes 39 seconds East, to the intersection with a line bearing North 11 degrees 14 minutes 32 seconds West from the point of beginning; thence South 11 degrees 14 minutes 32 seconds East, along said line, a distance of 390.73 feet, to the point of beginning.

Area: 6.30 Acres

WHEREAS, the annual business lease rental fee is to represent 10% of fair estimated market of the land or its appraised value, less the improvements, payable upon date of approval and then on the anniversary date of each year following and there is a \$2.00 lease processing fee.

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby approves a business lease to be issued to [REDACTED] for a period of 5 years and renewable for an additional 5 years, with the annual business lease rental fee to represent 10% of fair estimated market of the land or its appraised value, less the improvements, payable upon date of approval and then on the anniversary date of each year following, subject to the lease provisions, 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 RESOLVED, 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 special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 25th of May, 2004 at McGregor, Minnesota by a vote of 0 FOR, 3 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