



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 12-01-73-06

A RESOLUTION MODIFYING RESOLUTIONS # 09-04-01-02, # 09-04-104-01, # 09-03-71-01 AUTHORIZING A BUSINESS LEASE TO ML WASTEWATER MANAGEMENT, INC.

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, ML Wastewater, Inc., a non-profit organization, and wholly owned subsidiary of the Corporate Commission and the Mille Lacs Band requests modification of the legal description of the lease; and

WHEREAS, the subject property is a part of Tract # 410 T 1035 formerly known as 410 TF 95; and

WHEREAS, said land leased by ML WASTEWATER MANAGEMENT, INC. is described as follows:

Tract # 410 T 1035, described as the East ½ one-half (E½) of the Southwest one-quarter (SW¼), and the Northwest one-quarter (NW¼) of the Southwest one-quarter (SW¼), Section Thirty (30), Township Forty-three (43) North, Range Twenty-seven (27) West, Fourth Principal Meridian, Mille Lacs County, Minnesota, approximately 136.56 acres, EXCLUDING therefrom a parcel as shown on Exhibit A of this Resolution; and

WHEREAS, ML WASTEWATER MANAGEMENT, INC on behalf of public works has agreed to modify the lease description by changing the legal description of the excluded parcel shown on Exhibit A of this Resolution; and

WHEREAS, the legal description of the lease is modified as follows:

Tract # 410 T 1035, described as the East ½ one-half (E½) of the Southwest one-quarter (SW¼), and the Northwest one-quarter (NW¼) of the Southwest one-quarter (SW¼), Section Thirty (30), Township Forty-three (43) North, Range Twenty-seven (27) West, Fourth Principal Meridian, Mille Lacs County, Minnesota, approximately 136.56 acres, EXCLUDING therefrom a parcel described as Commencing at a Global Positioning System (GPS) coordinate

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359

DISTRICT II

36666 State Hwy 65 • McGregor MN 55760

DISTRICT III

Route 2 • Box 233-N • Sandstone, MN 55072

(438043.35; 5,113578.42) thence bearing North 0 degrees 08 minutes 57 seconds West a distance of 703.94 feet; thence North 5 degrees 31 minutes 39 seconds East a distance of 201.75 feet; thence North 18 degrees 26 minutes 06 seconds East a distance of 184.36 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 174.90 feet; thence South 73 degrees 18 minutes 03 seconds East a distance of 135.26 feet; thence South 71 degrees 33 minutes 54 seconds East a distance of 122.91 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 168.42 feet; thence South 0 degrees 05 minutes 17 seconds West a distance of 1001.92 feet; thence South 90 degrees 00 minutes 00 seconds West a distance of 663.85 feet to GPS coordinate (438043.35; 5,113578.42), the point of beginning (GPS coordinates are Universal Transverse Mercator (UTM) Zone 15 NAD 83 Projection Points).

WHEREAS, all other terms in resolutions # 09-04-01-02, # 09-04-104-01, and # 09-03-71-01 and lease number 410550126 approved January 4, 2002 shall remain the same.

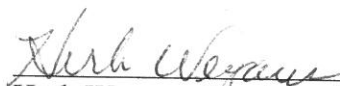
NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby authorizes modification of the lease to modify the business lease legal description and all other terms and conditions shall remain the same; and

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 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.

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 20th day of March, 2006 at Vineland, Minnesota by a vote of 2 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