



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 13-04-96-09

A RESOLUTION AUTHORIZING A ROAD RIGHT-OF-WAY FOR SECTIONS 10 AND 20 IRR ROUTE #205, 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 Mille Lacs Band Public Works Department (MLB Public Works), respectfully requests a right-of-way affecting various tracts of Tribal trust land, for road purposes as outlined in IRR Route #205; and
- WHEREAS, a right-of-way is authorized for road purposes only and consideration and appraisal for the right-of-way is waived since this project is for the benefit of the Band, and it is issued in perpetuity, subject to the terms of the right-of-way agreement, effective upon date of approval, for the property described herein; and
- WHEREAS, the Right-of-Way to be conveyed to the MLB Public Works Department is an easement over, under and across affecting the following tracts and which is 33 feet on each side of the centerline described below:
A part of Tract # 410T 220, described as Government Lot twelve of Section Eighteen, Township Forty-one North, Range Seventeen West, (Gov. Lot 12, Sec. 18 T41N, R17W), 4th principal meridian; and,
A part of Tract #410T221 described as Government Lot six, of Section Eighteen, Township Forty-one North, Range Seventeen West, (Gov. Lot 6, Sec. 18 T41N, R17W), 4th principal meridian; and,
A part of Tract #410T222 described as Government Lot seven, of Section Eighteen, Township Forty-one North, Range Seventeen West, (Gov. Lot 7, Sec. 18 T41N, R17W), 4th principal meridian; and,
A part of Tract # 410T 223, described as Government Lots eight and nine of Section Eighteen, Township Forty-one North, Range Seventeen West, (Gov. Lots 8 & 9, Sec. 18 T41N, R17W), 4th principal meridian; and,
A part of Tract # 410T225, described as Government Lots ten and eleven of Section Eighteen, Township Forty-one North, Range Seventeen West, (Gov. Lots 10 & 11, Sec. 18 T41N, R17W), 4th principal meridian; and,
410T254, described as Government Lots two and three of Section Eighteen, Township Forty-one North, Range Seventeen West, (Gov. Lots 2 & 3, Sec. 18 T41N, R17W), 4th principal meridian; and,
410T255, described as Government Lots four and five of Section Eighteen, Township Forty-one North, Range Seventeen West, (Gov. Lots 4 & 5, Sec. 18 T41N, R17W), 4th principal meridian; and,

SECTION 10 IRR ROUTE NO. 205 DESCRIPTION:

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

36666 State Highway 65 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT IIA

2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III

45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE

1433 E. Franklin Avenue, Ste. 7c • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

That part of the West Half of the Northwest Quarter (W1/2-NW1/4), Section 18, Township 41, Range 17, Pine County, Minnesota, which lies 33.00 feet on each side of the following described line: Commencing at the northwest corner of said Section 18; thence South 00 degrees 08 minutes 06 seconds West, bearing based on the Pine County Coordinate Database NAD 83/86, 624.35 feet along the west line of said Section 18 to the point of beginning of the line to be described; thence South 89 degrees 51 minutes 54 seconds East 490.00 feet; thence southeasterly 170.00 feet along a tangential curve, concave to the southwest, having a central angle of 27 degrees 49 minutes 46 seconds and a radius of 350.00 feet; thence South 62 degrees 02 minutes 08 seconds East, tangent to the last described curve, 45.00 feet; thence easterly 515.00 feet along a tangential curve, concave to the north, having a central angle of 84 degrees 18 minutes 24 seconds and a radius of 350.00 feet to a point of reverse curvature; thence northeasterly 535.00 feet along said reverse curve, concave to the southeast, having a central angle of 76 degrees 37 minutes 59 seconds and a radius of 400.00 feet, and said line there terminating. Together with a cul-de-sac having a radius of 100.00 feet, the center of said cul-de-sac being the terminus of the above described line as outlined on Exhibit A, map for MLB Public Works Section 10 IRR Route #205 showing the affected areas, attached and therefore made a part of this resolution. Said right-of-way contains approximately 3.2 acres more or less; and

SECTION 20 IRR ROUTE NO. 205 DESCRIPTION:

That part of the West Half of the Northwest Quarter (W1/2-NW1/4), Section 18, Township 41, Range 17, Pine County, Minnesota, also being part of Indian Allotments A223, A225 and A220, which lies 33.00 feet on each side of the following described line: Commencing at the northwest corner of said Section 18; thence South 00 degrees 08 minutes 06 seconds West, bearing based on the Pine County Coordinate Database NAD 83/86, 624.35 feet along the west line of said Section 18; thence South 89 degrees 51 minutes 54 seconds East 490.00 feet; thence southeasterly 170.00 feet along a tangential curve, concave to the southwest, having a central angle of 27 degrees 49 minutes 46 seconds and a radius of 350.00 feet; thence South 62 degrees 02 minutes 08 seconds East, tangent to the last described curve, 45.00 feet; thence easterly 347.31 feet along a tangential curve, concave to the north, having a central angle of 56 degrees 51 minutes 20 seconds and a radius of 350.00 feet to the point of beginning of the line to be described; thence South 28 degrees 53 minutes 28 seconds East, not tangent to the last described curve, 245.00 feet; thence southeasterly 170.00 feet along a tangential curve, concave to the northeast, having a central angle of 32 degrees 28 minutes 03 seconds and a radius of 300.00 feet; thence South 61 degrees 21 minutes 31 seconds East, not tangent to the last described curve, 380.00 feet, and said line there terminating. Together with a cul-de-sac having a radius of 100.00 feet, the center of said cul-de-sac being a point which is North 28 degrees 38 minutes 29 seconds East 30.00 feet from the terminus of the above described line as outlined on Exhibit B, a map for MLB Public Works Section #20 IRR

Route #205 showing the affected areas, attached and therefore made a part of this resolution. Said right-of-way contains approximately 1.8 acres more or less

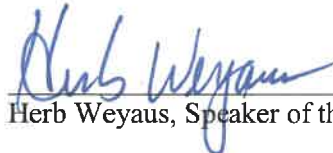
NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby authorizes a right-of-way, to the MLB Public Works Department for road purposes only as outlined in Sections 10 & 20 IRR Route #205, affecting the above described property, consideration and appraisal for said right-of-way is hereby waived since this project is for the benefit of the Band and it is issued in perpetuity, subject to terms of the right-of-way agreement, effective upon date of approval; and

BE IT FURTHER RESOLVED, that the MLB Public Works Department will utilize the land in conformity with the provisions of the right-of-way agreement, and if all terms of the agreement are not met, the land will revert to the Mille Lacs Band of Ojibwe; and

BE IT FURTHER RESOLVED, that the right-of-way shall be null and void should the MLB Public Works abandon or vacate the above-described property and the subject property will automatically revert to the Mille Lacs Band of Ojibwe.

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 of legislators being quorum present held on the 20th of August, 2009 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