



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 13-04-16-10

A RESOLUTION AUTHORIZING A CHARTER SCHOOL LEASE TO PINE GROVE LEADERSHIP ACADEMY WITH A NON-EXCLUSIVE USE OF EASEMENT AND PROPERTY SURROUNDING THE LEASE SITE

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, a business lease is requested by Pine Grove Leadership Academy, a non-profit organization; and,

WHEREAS, the subject lease is requested for the purpose of operating a Kindergarten through 8th Grade Charter School under the laws and requirements of the State of Minnesota located on the property described herein; and,

WHEREAS, the lease will be for a period of 1 year and renewable for an additional term at the expiration of the original lease term not to exceed 2 years at the option of the lease and subject to additional lease provisions, effective April 1 2010, for the property described herein; and,

WHEREAS, said land is described as follows:

Part of Tract #410 TF 236 , located in the East one-half (E ½) of the Northwest one-quarter of Section Ten (10), Township Forty-one (41) North, Range Seventeen (17) West, Fourth Principal Meridian, Pine County, Minnesota, further described as follows:

The leased area for the administration building Commences at Global Positioning System (GPS) coordinate (540,227.70; 5,099,881.90) thence North 45 degrees 23 minutes 42 seconds West a distance of 191.94 feet; thence North 41degrees 19 minutes 18 seconds East a distance of 185.70 feet; thence South 48 degrees 31 minutes 39 seconds East a distance of 193.63 feet; thence South 41 degrees 54 minutes 21 seconds East a distance of 196.20 feet to the point of beginning (GPS coordinates are Universal Transverse Mercator (UTM) Zone 15 NAD 83 Projection Points), approximately 1 acre more or less; and

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URBAN OFFICE

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WHEREAS, access to and from the lease sites will be through a non-exclusive easement described as follows:

A strip of land 66.00 feet wide across located on that part of Tract 410 TF 236 located in the South Half of the Southeast Quarter of Section 3, Township 41 North, Range 17 West, and the Northwest Quarter of the Northeast Quarter and the East Half of the Northwest Quarter of Section 10, Township 41 North, Range 17 West, Pine County, Minnesota, 4th Principal Meridian lying 33.00 feet on both sides of the following described center line:

Commencing at Global Positioning System (GPS) coordinate (541118.32; 5100469.78) thence South 66 degrees 48 minutes 5 seconds West a distance of 27.19 feet; thence North 72 degrees 28 minutes 28 seconds West a distance of 71.14 feet; thence North 51 degrees 42 minutes 35 seconds West a distance of 86.44 feet; thence North 41 degrees 38 minutes 1 second West a distance of 85.99 feet; thence North 48 degrees 42 minutes 55 seconds West a distance of 194.82 feet; thence North 65 degrees 27 minutes 44 seconds West a distance of 180.55 feet; thence North 86 degrees 11 minutes 9 seconds West a distance of 107.36 feet; thence South 75 degrees 22 minutes 45 seconds West a distance of 84.87 feet; thence South 74 degrees 3 minutes 17 seconds West a distance of 25.99 feet; thence South 55 degrees 0 minutes 29 seconds West a distance of 130.75 feet; thence South 47 degrees 46 minutes 45 seconds West a distance of 781.08 feet; thence South 46 degrees 50 minutes 51 seconds West a distance of 78.31 feet; thence South 31 degrees 36 minutes 27 seconds West a distance of 54.50 feet; thence South 26 degrees 33 minutes 54 seconds West a distance of 103.79 feet; thence South 38 degrees 9 minutes 26 seconds West a distance of 63.57 feet; thence South 53 degrees 7 minutes 48 seconds West a distance of 71.41 feet; thence South 61 degrees 30 minutes 16 seconds West a distance of 284.40 feet; thence South 74 degrees 28 minutes 33 seconds West a distance of 66.70 feet; thence South 67 degrees 18 minutes 22 seconds West a distance of 212.86 feet; thence South 73 degrees 12 minutes 6 seconds West a distance of 197.68 feet; thence South 65 degrees 13 minutes 29 seconds West a distance of 51.12 feet; thence South 33 degrees 41 minutes 24 seconds West a distance of 51.50 feet; thence South 16 degrees 30 minutes 30 seconds West a distance of 111.33 feet; thence South 6 degrees 7 minutes 22 seconds West a distance of 607.27 feet; thence North 83 degrees 46 minutes 27 seconds West a distance of 395.10 feet; thence South 39 minutes 25 seconds 54 minutes West a distance of 250.27 feet and there terminating. GPS coordinates are Universal Transverse Mercator (UTM) Zone 15 Nad 83 Projection Points; and,

WHEREAS Pine Grove Leadership Academy will have a non-exclusive use of the grounds surrounding the lease sites for the purposes of parking and outdoor educational

activities that are limited to that portion of Tract 410 TF 236 described as the North ½ and the North ½ of the Southeast ¼ and the Northeast ¼ of the Southwest ¼ Section 10 T41N R17W and the Southwest ¼ of the Southwest ¼ Section 3 T41N R17W; and,

WHEREAS, this is a cooperative effort between the Lessee and the Lessor that will provide benefits to the Mille Lacs Band of Ojibwe Indians in excess of the fair market value. Therefore, the Mille Lacs Band Assembly hereby waives its right to receive monetary consideration for this Charter School lease.

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby authorizes a Charter School lease for the property described herein with a non-exclusive easement issued to Pine Grove Leadership Academy for the purpose of operating a Kindergarten through 8th Grade Charter School, for a period of 1 year and renewable for an additional 2 years, on a yearly basis subject to the lease provisions, effective April 2010, with the annual Charter School lease rental fee waived, effective upon date of approval; and,

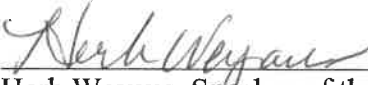
BE IT FURTHER RESOLVED, that the Pine Grove Leadership Academy will have a non-exclusive use of the part of Tract 410 TF 236 described herein for parking and outdoor educational purposes; and,

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 FINANLLY 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; 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 4th of December 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.



Herb Weyaus, Speaker of the Assembly