



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 13-04-14-10

A JOINT RESOLUTION REQUESTING THAT THE BUREAU OF INDIAN AFFAIRS PLACE LAND IN TRUST FOR THE MILLE LACS BAND OF OJIBWE INDIANS.

- WHEREAS, the Mille Lacs Band of Ojibwe (Band) is a member of the Minnesota Chippewa Tribe (MCT); and
- WHEREAS, the Band and the MCT are each federally-recognized Indian tribes; and
- WHEREAS, Article VI, section 1(c) of the MCT Constitution provides “The [Reservation] Business Committee shall be authorized to manage, lease, permit or otherwise deal with tribal lands, interests in lands or other tribal assets, when authorized to do so by the Tribal Executive Committee but no such authorization shall be necessary in the case of lands or assets owned exclusively by the Reservation”; and
- WHEREAS, 3 MLBSA § 1 states that all Band legislative power is vested in the Band Assembly and that it is the body referred to in the MCT Constitution as the Reservation Business Committee; and
- WHEREAS, 3 MLBSA § 2(g) states specifically that the Band Assembly has the power to perform all legislative functions conferred on the Reservation Business Committee in Article VI of the MCT Constitution; and
- WHEREAS, it follows that, under Article VI, section 1(c) of the MCT Constitution and 3 MLBSA §§ 1 and 2(g) the Band Assembly has the power to manage, lease, permit or otherwise deal in lands owned exclusively by the Band including the power to transfer such lands to the United States to be held in trust for the Band; and
- WHEREAS, the tract of land described below is owned exclusively by the Band and, therefore, the Band Assembly has the power to transfer such land to the United States to be held in trust for the Band; and
- WHEREAS, the Band, through the Band Assembly with the concurrence of the Chief Executive, is hereby requesting that the Bureau of Indian Affairs accept the transfer of the tract of land described below to the United States of America in Trust for the Mille Lacs Band of Ojibwe; and
- WHEREAS, the tract of land is described as tracts 410 TF 193, 410 TF 179 and 410 TF 86, and are further described as follows: -

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

Tract # 410 TF 193, described as follows:

Real Property located in the East Half of the Northwest Quarter (E ½ NW ¼), the North Half of the Southeast Quarter (N ½ SE ¼), and the Northeast Quarter (NE ¼), all in Section Nineteen (19), Township Forty-three North (T43N), Range Twenty-seven West (R27W), except the North 650.00 feet of the East 403.0 feet of the Northeast Quarter (NE ¼), of Section Nineteen (19), Township forty-three North (T43N), Range Twenty-seven West (R27W), Fourth Principal Meridian, Mille Lacs County, Minnesota approximately 313.9 acres more or less; and,

Tract # 410 TF 179, described as follows:

Real Property located in the South Half of the Southeast Quarter (S ½ SE ¼), of Section Nineteen (19), Township Forty-three North (T43N), Range Twenty-seven West (R27W), lying south and east of the center line of County State Aid Road No. 25, Fourth Principal Meridian, Mille Lacs County, Minnesota, approximately 70 acres more or less; and,

Tract # 410 TF 86, described as follows:

Real Property located in the South one-half of the Southeast one-quarter (S ½ SE ¼), of Section Nineteen (19), Township Forty-three North (T43N), Range Twenty-seven West (R27W), except that part lying south and east of County State Aid Road No. 25, Fourth Principal Meridian, Mille Lacs County, Minnesota, approximately 10 acres more or less and

WHEREAS, the statutory authority for a fee-to-trust acquisition by the United States of America for the Mille Lacs Band of Ojibwe is found in the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. 465); and

WHEREAS, Tracts #410 TF 193, 410 TF 179 and 410 TF 86, described above will be used for Band housing, governmental purposes, and commercial use; and

WHEREAS, the Chief Executive of the Mille Lacs Band is the designated official for signing conveyance documents; and

WHEREAS, the authority for signing the conveyance documents is found in 4 MLBSA § 6(f), which states specifically that the Chief Executive shall act as custodian of all Band property; and

WHEREAS, the land described above is not intended for gaming or gaming related purposes.

NOW, THEREFORE, BE IT RESOLVED, the Mille Lacs Band of Ojibwe hereby requests the Bureau of Indian Affairs to accept the transfer of the land described above to the United States of America in Trust for the Mille Lacs Band of Ojibwe Indians.


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, 2009 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 and forwarded to the Chief Executive for Concurrence.



Herb, Weyaus, Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I, set my hand to this resolution.



Marge Anderson, Chief Executive

OFFICIAL SEAL OF THE BAND