



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 15-02-159-12

**A RESOLUTION AUTHORIZING A ROAD RIGHT-OF-WAY FOR
ZHINGOB AVENUE, IRR ROUTE NO. 189, 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 respectfully requests a right-of-way for ZHINGOB AVENUE affecting Tract 410TF115 held in fee by the Band; and

WHEREAS, this right-of-way is part of the Community Development ZHINGWAAK OODENA SECOND ADDITION project; and

WHEREAS, a right-of-way is authorized for road purposes and the associated infrastructure including and limited to water, sewer, gas and electric only and consideration and appraisal for the right-of-way is waived since this project is a cooperative effort between the Mille Lacs Band Public Works Department and 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, said right-of-way description is located on part of Tract 410TF000115 and is described as

That part of the South one-half of the Northeast one-quarter (S ½ NE ¼) and that part of the North one-half of the Southeast one-quarter (N ½ SE ½) all in Section Twenty-nine (29), Township Forty-one North (T41N), Range Twenty West (R20W); 4th Principal Meridian, Pine County, Minnesota, which lies 33.00 feet on each side of the following described centerline: Commencing at the East Quarter corner of said Section 29; thence North 01 degree 01 minute 04 seconds, bearing based on the Pine County Coordinate Database NAD 83/96, 321.08 feet along the east line of said Section 29 to the southeast corner of the plat of ZHINGWAAK OODENA, according to the recorded plat thereof, on file in the Pine County Recorder's office; thence North 89 degrees 24 minutes 06 seconds West 253.27 feet along the south line of said plat of ZHINGWAAK OODENA to the point of beginning of the centerline to be described; thence South 00 degrees 39 minutes 33 seconds West 290.84 feet; thence southwesterly 485.87 feet along a tangential curve, concave to the northwest, having a central angle of 92 degrees 47 minutes 43 seconds and a radius of 300.00 feet, to a point of reverse curvature; thence southwesterly 371.00 feet along said reverse curve, concave to the southeast.

DISTRICT I

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DISTRICT II

36666 State Highway 65 • McGregor, MN 55760
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DISTRICT IIA

2605 Chiminising Drive • Isle, MN 56342
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DISTRICT III

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URBAN OFFICE

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having a central angle of 70 degrees 51 minutes 21 seconds and a radius of 300.00 feet, to a point of reverse curvature; thence southwesterly 404.76 feet along said reverse curve, concave to the northwest, having a central angle of 77 degrees 18 minutes 14 seconds and a radius of 300.00 feet; thence North 80 Degrees 05 minutes 51 seconds West, tangent to the last described curve, 331.27 feet; thence southwesterly 445.70 feet along a tangential curve, concave to the southeast, having a central angle of 85 degrees 58 minutes 55 seconds and a radius of 297.00 feet, to a point of reverse curvature; thence southwesterly 393.30 feet along said reverse curve, concave to the northwest, have a central angel of 75 degrees 06 minutes 51 seconds and a radius of 300.00 feet; thence South 89 degrees 02 minutes 05 seconds West, tangent to the last described curve, 430.45 feet to the west line of said N1/2 SE1/4 and said centerline there terminating.

Sketch and Description, IRR ROUTE No. 189, Widseth Smith Nolting, Surveyor, Chad M. Connor, License No. 41643.

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs Band Assembly hereby authorizes a right-of-way for road purposes and the associated infrastructure including and limited to water, sewer, gas and electric to the Mille Lacs Band Public Works Department as outlined in the ZHINGWAAK OODENA SECOND ADDITION Project, affecting the above described property, consideration and appraisal for said right-of-way is hereby waived since this project is a cooperative effort between Mille Lacs Band Public Works and 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 Mille Lacs Band Public Works will utilize the land in conformity with the provisions of the right-of-way , and if all terms of the agreement are not met, the land will revert back to the Mille Lacs Band of Ojibwe; and,

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

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 24th of July, 2012 at Vineland, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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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.



Curt Kalk, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND