



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 17-01-85-16

A JOINT RESOLUTION REQUESTING THAT THE BUREAU OF INDIAN AFFAIRS OBTAIN A CARTWAY EASEMENT TO ACCESS LANDLOCKED PROPERTY LOCATED IN OGEMA TOWNSHIP, PINE COUNTY, MINNESOTA

- WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly-elected governing body of the Mille Lacs Band of Ojibwe (“Band”), a federally-recognized Indian Tribe; and
- WHEREAS, pursuant to 3 MLBSA § 2(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and
- WHEREAS, pursuant to 4 MLBSA § 6, the Chief Executive is empowered to exercise the Executive Branch powers of the Band; and
- WHEREAS, the Band Assembly and Chief Executive have established as a priority the improvement of the spiritual, physical, mental, social, and economic well-being of the people of the Band (“Band Member(s)”); and
- WHEREAS, Article VI, sec. 1(c) of the MCT’s Revised Constitution authorizes each constituent Band government “to manage, lease, permit or otherwise deal with tribal lands within the Band’s jurisdiction, interests in lands or other tribal assets, when authorized to do so by the Tribal Executive Committee”; and
- WHEREAS, Sections 102 and 302(a) of MCT Land Ordinance #3 authorize each constituent Band government “to protect and manage the use of lands, waters and resources with respect to its Reservation,” and to “manage lease, permit, or otherwise deal with tribal lands within the Band’s jurisdiction”; and
- WHEREAS, The statutes of the Mille Lacs Band of Ojibwe (3 MLBSA § 2(g)) grant the Joint Assembly the power to perform all legislative functions conferred under the MCT Land Ordinance #3; and
- WHEREAS, pursuant to the foregoing provisions of the MCT’s Revised Constitution, MCT Land Ordinance #3 and the Band’s statutes, the Mille Lacs Band of Ojibwe, through the Joint Assembly, is hereby requesting that the Bureau of Indian Affairs obtain a cartway easement for the benefit of the Mille Lacs Band of Ojibwe to access landlocked tribal lands held in trust for the MCT and subject to the jurisdiction of the Mille Lacs Band of Ojibwe; and

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DISTRICT II

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DISTRICT IIA

2605 Chimimising Drive • Isle, MN 56342
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DISTRICT III

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

URBAN OFFICE

1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

WHEREAS, mitigation attempts to purchase entire parcels and/or simple easements from owners of land contiguous to the landlocked tribal lands remain unsuccessful; and

WHEREAS, access to the landlocked tribal lands is necessary to manage fire hazards from blown down trees and to provide access to the lands for Band members to continue to exercise treaty rights; and

WHEREAS, the landlocked tribal land is comprised of eleven tracts of land which are held in trust for the Minnesota Chippewa Tribe by the United States of America and are further described as:

Approximately 81.52, acres more or less, in Ogema Township, Pine County, MN PID #23.010.6000, more particularly described as:

Tract 410T000272 described as: S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5.0 Acres) & S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2.5 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000273 described as: N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (2.5 Acres) & S $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5.0 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000274 described as: Government Lot 1 (7.19 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000275 described as: Government Lot 2 (3.59 Acres) & Government Lot 3 (3.58 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000276 described as: Government Lot 6 (7.50 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000277 described as: N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5.0 Acres) & Government Lot 7 (2.50 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000278 described as: Government Lot 8 (2.50 Acres) & N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5.0 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000279 described as: S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5.0 Acres) & N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (2.5 Acres) Section 6 T41N R17W 4th Principal Meridian;

Tract 410T000280 described as: S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (2.5 Acres) & S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5.0 Acres) Section 6 T41N R17W 4th Principal Meridian;

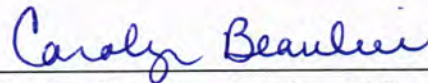
Tract 410T000281 described as: Government Lot 4 (7.16 Acres) Section 6 T41N R17W 4th Principal Meridian; and

Tract 410T000282 described as: Government Lot 5 (7.50 Acres) Section 6 T41N R17W 4th Principal Meridian.

NOW, THEREFORE, BE IT RESOLVED, the Band hereby formally requests the Bureau of Indian Affairs to obtain a cartway easement for the benefit of the Mille Lacs Band.

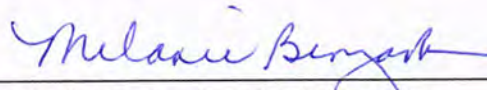
WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 28th day of April, 2016 at Nayahshing, Minnesota by a vote of 2 FOR, 0 AGAINST, 0 SILENT.

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 and forwarded to the Chief Executive for Concurrence.



Carolyn Beaulieu, Speaker of the Assembly

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



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND