

THE MINNESOTA CHIPPEWA TRIBE

ORDINANCE NO. 13

WHEREAS, the United States of America holds land in trust for The Minnesota Chippewa Tribe and said land located within the exterior boundaries of the six member reservations of the Tribe, and

WHEREAS, The Minnesota Chippewa Tribe leases tribal trust lands to tribal members for the purpose of homesites and to tribal members and non-members for recreational-seasonal homes, and

WHEREAS, The Minnesota Chippewa Tribe has recognized these above-described homes and structures in the leasing documents as remaining the personal property of the lessees and not becoming a part of the realty if said leases are renewed at their expiration, and

WHEREAS, The Minnesota Chippewa Tribal Housing Corporation, a wholly tribally owned subsidiary of The Minnesota Chippewa Tribe, loans money to tribally enrolled members who buy or construct homes on lands held in trust for The Minnesota Chippewa Tribe and the Corporation takes security agreements and files financing statements on said homes and treats said homes as not being part of the realty, and

WHEREAS, an interpretation by a Reservation Business Committee or a Tribal Court, Band Court, State Court or Federal Court that said homes and structures were part of the trust realty would prevent tribal members from borrowing money from The Minnesota Chippewa Tribal Housing Corporation or from other sources because they could not pledge the house as security as not being part of the realty and other housing funding sources would also be jeopardized including the Housing and Urban Development programs, all which would be contrary to the best interests of The Minnesota Chippewa Tribe members.

NOW THEREFORE, the following Ordinance is adopted:

All loans made by The Minnesota Chippewa Tribal Housing Corporation to Indian people residing on tribal trust lands or tribal fee lands which have pledged the house or structures as security for said mortgage loans shall be valid loans; and said houses or structures shall be deemed not part of the realty but shall be treated as personal property if a security agreement is given by the borrower and a financing statement is filed.

This Ordinance shall supercede any Band Ordinance adopted by any Reservation Business Committee of any of the Bands comprising The Minnesota Chippewa Tribe to the extent that said Ordinance is inconsistent with this Ordinance.

This Ordinance shall be retroactive and shall apply to all leases and security agreements entered into between The Minnesota Chippewa Tribal Housing Corporation and any tribal member or Indian person and with other non-tribal lending institutions or persons.

Adopted this 30th day of August, 1984, at a Special Meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum present, held at Cass Lake, Minnesota, by a vote of 9 For, 2 Against, 0 Silent.

Darrell Wadena, President
THE MINNESOTA CHIPPEWA TRIBE

ATTEST: Daniel Morrison, Sr., Secretary
THE MINNESOTA CHIPPEWA TRIBE