



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE ADOPTION OF THE BUREAU OF INDIAN AFFAIRS RESOLUTION GRANTING A CONSTRUCTION EASEMENT FOR THE HOUSE OF WELLNESS PROJECT

RESOLUTION 01-21-14E

WHEREAS, on November 1, 1994, the United States Secretary of Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Nation, and

WHEREAS, the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, the Legislature of the Ho-Chunk Nation ("Legislature") is the duly constituted governing body of the Ho-Chunk Nation pursuant to the Constitution of the Ho-Chunk Nation ("Constitution"); and

WHEREAS, Article V, Section 2(a) of the Constitution grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(i) of the Constitution empowers the Legislature to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands, or other assets; and

WHEREAS, Article V, Section 2(o) of the Constitution empowers the Legislature to enact laws to regulate and zone any lands within the jurisdiction of the Ho-Chunk Nation; and

WHEREAS, the Ho-Chunk Nation, from time to time, has worked with other Governmental agencies, and will be obligated to grant right-of-ways to these governmental agencies for road construction, road improvements, etc.; and

WHEREAS, the Ho-Chunk Nation has in the past, worked with the Bureau of Indian Affairs, and will into the future; and

WHEREAS, the Bureau of Indian Affairs requires the granting of a perpetual easement in order to authorize road construction on the following parcel of Ho-Chunk Nation's tribal land:

Executive Offices

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

Perpetual easement for a parking lot located in Lot 3 of Certified Survey Map No. 446, Document No. 410405, Being part of the Southeast one-quarter (SE 1/4) of the Southeast one-quarter (SE 1/4) and Southwest one-quarter (SW 1/4) of the Southeast one-quarter (SE 1/4) of Section 3, T12N, R6E, Delton Township, Sauk County, Wisconsin.

Commencing at the Northwest Corner of said Lot 3; Thence S00°05'56"E a distance of 498.2 feet to the Centerline of South Yellow Thunder Road and the POINT OF BEGINNING;

Thence N89°32'27"W along the Centerline of South Yellow Thunder Road a distance of 12.5 feet;

Thence S00°21'45"E a distance of 444.4 feet;

Thence N89°57'52"E a distance of 710.0 feet;

Thence N00°13'34"W a distance of 460.0 feet;

Thence N89°36'05"W a distance of 420.0 feet to a point on the Centerline of South Yellow Thunder Road;

Thence S79°18'28"W a distance of 110.0 feet to a point on the Centerline of South Yellow Thunder Road;

Thence N89°32'27"W along the Centerline of South Yellow Thunder Road, a distance of 170.5 feet to the POINT OF BEGINNING.

Also excluding the following described buildings:

WELLNESS CENTER BUILDING:

Commencing at the Northwest Corner of said Lot 3 Thence S12°00'17"E a distance of 618.2' to the POINT OF BEGINNING.

Thence S89°57'53"E a distance of 60.3';

Thence Along a curve with a radius of 57.1' a Delta angle of 131°09'84", Length of 130.66', Chord Bearing of N59°02'21"E and a Chord Distance of 103.97';

Thence S88°48'48"E a distance of 14.5';

Thence S00°23'08"E a distance of 15.0';

Thence along a curve with a radius of 56.23', a Delta angle of 87°57'43", length 85.95', chord bearing of S11°03'54"W, and a chord length of 77.83',

Thence S00°14'09"W a distance of 9.7';

Thence S89°40'55"E a distance of 25.4';

Thence S00°49'02"E a distance of 31.0';

Thence S88°38'14"W a distance of 26.0';

Thence S00°09'16"W a distance of 11.7';

Thence along a curve with a radius of 123.46', a delta angle of 44°11'40", length of 95.06', chord bearing of S70°55'54"E, and a chord length of 92.73';

Thence S89°29'34"E a distance of 11.4';

Thence S00°58'46"E a distance of 11.5';

Thence along a curve with a radius of 124.3', a delta angle of 35°51'46", a length of 77.06', a chord bearing of S22°22'27"E, and a chord distance of 75.8';

Thence S85°54'44"W a distance of 29.2';

Thence S00°20'12"W a distance of 49.5';

Thence N89°40'04"W a distance of 112.3';

Thence N00°21'52"E a distance of 21.2';

Thence S89°54'06"W a distance of 27.4';

Thence S00°22'53"W a distance of 52.6';

**Thence N89°47'09"W a distance of 108.9';
Thence N00°57'36"W a distance of 5.0';
Thence N89°41'53"W a distance of 49.9';
Thence N00°12'50"E a distance of 189.5';
Thence S89°59'43"E a distance of 50.0';
Thence N00°20'41"E a distance of 90.4' to the POINT OF BEGINNING.**

Containing ± 73,982.24 sq. ft. more or less.

And also excluding:

PARK SHELTER BUILDING:

**Commencing at the Northwest Corner of said Lot 3, Thence S47°31'25"E a distance of 887.1' to the POINT OF BEGINNING;
Thence N83°46'27"E a distance of 44.8';
Thence S06°41'04"E a distance of 24.9';
Thence S83°45'09"W a distance of 44.5';
Thence N07°14'59"W a distance of 24.9' to the POINT OF BEGINNING.**

Containing ± 1,098 sq. ft. more or less.

The above described easement contains 5.71 Acres, and is subject to any and all reservations, restrictions, easements and prior conveyances of record.

NOW THEREFORE, BE IT RESOLVED that the Ho-Chunk Nation Legislature grants a perpetual easement for improving a tribally owned public road and parking lot on the above parcels of land to the Ho-Chunk Nation House of Wellness; and

BE IT FURTHER RESOLVED that due to the overall benefit to the Ho-Chunk Nation and its members derived from the improvements to the parcel of land, compensation for granting of the perpetual easement is waived; and

BE IT FURTHER RESOLVED that the Ho-Chunk Nation will retain control and jurisdiction of said right of way and will keep it open to the public.

CERTIFICATION

I, the undersigned, as Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of the 13 members, of whom 13 constituting a quorum, were present at a meeting duly called and convened and held on the 21st day of January, 2014, that the foregoing resolution was adopted at said meeting by an affirmative vote of 13 members, 0 opposed and 0 abstaining, pursuant to the authority of Article V, Section 2 (a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this a verified copy of said resolution.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

1.21.14
Date