



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE RESCINDING RESOLUTION 5-06-08 E AND CONSENTING TO A RESIDENTIAL LEASE ON TRIBAL OWNED LAND THROUGH THE BIA FOR MELANIE STACY

RESOLUTION 03-20-12 E

- WHEREAS,** on November 1, 1994, the Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Constitution of the Ho-Chunk Nation ("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 grants the Legislature the power to negotiate and enter into treaties, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's land, interests in lands or other assets; and
- WHEREAS,** pursuant to Resolution 5-06-08 E the Legislature granted Melanie Stacy, formerly known as Melanie TwoBears, and also known as Melanie TwoBears Stacy, a twenty-five (25) year residential land lease, with the option to renew for an additional twenty-five (25) years, covering the following described real property: "Indian Mission, Lot 34 within the NW ¼ NW ¼, Section 33, Township 22 North, Range 3 West, Jackson County, Wisconsin ("Parcel"); and
- WHEREAS,** Resolution 5-06-08 E also rescinded Resolution 7-12-95 A, which had granted a residential lease of the Parcel in favor of Clayton Decorah, Jr. but said lease was never signed; and
- WHEREAS,** Resolution 10-20-09 C granted a lease of the Parcel in favor of Minette (Smith) Goodbear but said lease was never signed and was cancelled on March 23, 2010; and

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WHEREAS, Resolution 10-20-09 B, which rescinds Resolution 4-07-09 I, granting consent for Melanie TwoBears to assign the lease to her daughter, and rescinds Resolution 4-07-09 J, authorizing a land lease with Regina Funmaker covering the Parcel, grants consent for Melanie TwoBears to assign the lease to the Parcel to her sister Minnette (Smith) Goodbear; and

WHEREAS, the Parcel is trust land held by the U.S. Bureau of Indian Affairs ("BIA") on behalf of the Nation; and

WHEREAS, BIA has requested the language of Resolution be revised from reciting said lease in favor of Melanie TwoBears had "a term of twenty-five (25) years, with an *option to renew* for an additional twenty-five (25) years" to "a term of twenty-five (25) years, with an *automatic renewal* for an additional twenty-five (25) years" (emphasis added); and

WHEREAS, BIA also requested the rent amount due under said lease in favor of Melanie Stacy be recited in the authorizing resolution.

BE IT RESOLVED, that the Legislature hereby rescinds Resolution 5-06-08 E, Resolution 7-12-95 A, Resolution 10-20-09 B, Resolution 4-07-09 I, Resolution 4-07-09 J, and Resolution 10-20-09 C.

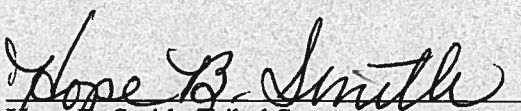
BE IT FURTHER RESOLVED, that the Legislature, pursuant to its Constitutional authority, hereby approves a Residential Lease on Tribal Owned Land through BIA with a term of twenty-five (25) years, with an automatic renewal of twenty-five (25) years, covering the Parcel, and with Melanie Stacy, as Lessee ("Lease").

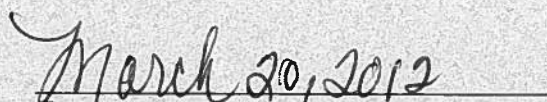
BE IT FURTHER RESOLVED, pursuant to the Lease, Lessee shall pay Lessor rent at the rate of one dollar (\$1) per year.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Nation's Vice President to execute the Lease.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 8 constituting a quorum were present at a meeting duly called and convened and held on the 20th day of March, 2012, that the foregoing resolution was adopted at said meeting by an affirmative vote of 6 members, 0 opposed, and 2 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 said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.


Hope B. Smith, Tribal Secretary


Date