



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE AUTHORIZATION AND REQUEST TO PLACE BELOIT PROPERTY INTO TRUST FOR THE HO-CHUNK NATION

#### RESOLUTION 03-20-12 F

- 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 Nation; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** the Nation, as a sovereign Indian tribe organized with inherent powers, was under federal jurisdiction as of the date the Indian Reorganization Act of 1934 was enacted; 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 Nation ("Constitution"); and
- WHEREAS,** Article V, Section 2 (a) enables the Nation, through the Legislature, to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(k) of the Constitution authorizes the Legislature to acquire or purchase lands for the benefit of the Ho-Chunk Nation and its members; and
- WHEREAS,** Article V, Section 2 (l) of the Constitution provides the Legislature with the power to enact laws to prevent the sale, disposition, or encumbrances of Ho-Chunk lands, or other Ho-Chunk assets; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III; and
- WHEREAS,** the Nation is owner of fee lands constituting approximately 32.7 acres in Beloit, Wisconsin, described within this resolution, and located in Rock County, Wisconsin (hereinafter referred to as the "Beloit Lands"); and
- WHEREAS,** the Nation's Beloit Lands were purchased in Fee by the Nation in September 2009; and
- WHEREAS,** the Beloit Lands have historical significance to the Ho-Chunk Nation and were purchased in order to provide benefits to the tribe and its members in the areas of economic development and diversification in order to enhance the Nation's sovereignty; and

#### Executive Offices

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

**WHEREAS,** the Legislature of the Nation, the duly authorized tribal entity to make tribal land determinations, has found it suitable to request that the Secretary of the Interior, Bureau of Indian Affairs, approve the transfer of title of the Nation's Beloit Lands to the United States of America to be held in trust for the benefit of the Nation for gaming purposes under 25 CFR Part 151 and 25 CFR Part 292; and

**WHEREAS,** if the parcel of land can be placed into trust status, the Nation will be able to prevent further encumbrances to the property; and

**WHEREAS,** the Nation desires to pursue the development of gaming and gaming-related facilities on its Beloit Lands under the provisions of the Indian Gaming and Regulatory Act (IGRA), 25 CFR Part 151 and 25 CFR Part 292, in order to provide benefits to the Nation, its members and tribal government; and

**WHEREAS,** the Vice President is the official authorized by the Ho-Chunk Nation Legislature to execute the deeds for the property mentioned below; and

**WHEREAS,** the Secretary of Interior has the authority to place land into trust for Indians pursuant to the IRA (25 U.S.C. §465), and through the Bureau of Indian Affairs, the Ho-Chunk Nation seeks to place subject parcel into Trust status;

**NOW THEREFORE BE IT RESOLVED,** that the Legislature, pursuant to its Constitutional authority, requests that the United States Secretary of the Interior accept the Beloit Lands, described below, into trust for the benefit of the Ho-Chunk Nation and its members; and

**BE IT FURTHER RESOLVED,** that the Nation approves the filing of a fee-to-trust application request to the Secretary of the Interior for the Beloit Lands, for gaming and gaming-related purposes, and authorizes the Vice President of the Nation, or his designee, to execute any required documentation to initiate the trust request and carry it through to completion; and

**BE IT FURTHER RESOLVED,** that the Beloit Lands legal property description is as follows, and shall apply to the Nation's request:

**Legal Description:**

Part of the N.W. ¼ of Section 32, T.1N. R.13E. of the 4th P.M., in the City of Beloit, County of Rock and State of Wisconsin, described as follows: Commencing at the West ¼ corner of said Section 32, aforesaid; thence South 89° 18'34" East along the East-West centerline of said Section 32 a distance of 264.00 feet to the Southeast corner of Lot 2 of a Certified Survey map recorded in Volume 13 on Pages 341 to 344, being also the place of beginning for the land to be herein described; thence North 0° 52'16" West along the East line of said Lot 2 a distance of 1368.75 feet to the centerline of Colley Road; thence North 88° 54'04" East along said centerline, 1312.7 feet more or less to the West line of land conveyed by Warranty Deed dated September 21, 1960, recorded in Volume 560 of Deeds, page 479; thence South 1° 11' 56" East along said West line, 392.9 feet more or less to the Northwesterly right-of-way line of I-90; thence South 37° 31' 07" West along said right-of-way line, 1270.0 feet more or less to the East-West centerline of said section 32; thence North 89° 18' 34" West 526.4 feet more or less to the place of beginning, containing 32.7 acres more or less;

**CERTIFICATION**

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 7 constituting a quorum were present at a meeting duly called and convened and held that on the 20th day of March, 2012, adopted the foregoing resolution at said meeting by an affirmative vote of 4 members, 2 opposed, and 1 abstaining, pursuant to the 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 is a verified copy of said resolution.

*Hope B. Smith*  
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Hope B. Smith, Tribal Secretary

*March 20, 2012*  
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Date

