



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
LAND LEASE AUTHORIZATION  
LOT # 11 OF WINNEBAGO HEIGHTS # 439-T2100  
FOR CAROL WHITETHUNDER**

**RESOLUTION 04-08-13J**

- WHEREAS,** on November 1, 1994, the United States 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 Ho-Chunk Nation Constitution ("Constitution") grants the Ho-Chunk Nation Legislature ("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 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 lands, interests in lands or other assets; and
- WHEREAS,** the Nation holds a 100% interest of the HCN Trust property known as Winnebago Heights Tract # 439 T2100 legal description being NE¼ NE¼ & SE¼ NE¼ of Section 15, Township 13 North, Range 5 East, Township of Dellona, Sauk County, Wisconsin containing 30 acres more or less and subject to all valid existing rights of way; and
- WHEREAS,** Ho-chunk Housing and Community Development Agency ("HHCDA") held lease rights to Lot 11, Winnebago Heights Tract # 439 T2100 (the "Premises"), through BIA Lease No. B-1056(77) in but relinquished it back to the Nation through HHCDA Resolution 051806A
- WHEREAS,** the Ho-Chunk Nation Legislature passed resolution 08-07-12J authorizing a lease on Winnebago Heights on lot # 11 in the name of Coral Whitethunder; and
- WHEREAS,** the Code of Federal Regulations regarding tribally owned trust property has been updated, requiring additional provisions to both the Lease document and the authorizing Resolution; and
- WHEREAS,** Carol Whitethunder now wishes to obtain a Lease from the Nation with the required addition provisions added subject to CFR 162, on the Premises with a term of twenty-five (25) years, with an automatic renewal for an additional twenty-five (25) years.

**BE IT RESOLVED,** that the Ho-Chunk Nation Legislature hereby rescinds Resolution 08-07-12J.

**Executive Offices**

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**BE IT FURTHER RESOLVED**, that the Ho-Chunk Nation Legislature hereby grants a lease, with a term of twenty-five (25) years, with an automatic renewal for an additional twenty-five (25) years, to Carol Whitethunder as Lessee(s), covering the Premises, more particularly described as:

Lot # 11, Winnebago Heights legal description being NE ¼ NE ¼ & SE ¼ NE ¼ Section 15 Township 13 North, Range 5 East, Sauk County, Wisconsin, approximately 39,122.39 sq. ft. or 0.90 acres, more or less, and is subject to all easements and rights of way of record.

**BE IT FURTHER RESOLVED**, that the Legislature, pursuant to its Constitutional authority, hereby consents to any modifications that may be needed, by reason of this new lease, to the original BIA Lease B-1056 (77), which covers the whole of Winnebago Heights Tract # 439 T2100, agreed upon between the Wisconsin Winnebago Tribe, now known as the Ho-chunk Nation, and the Wisconsin Dells Housing Authority, now known as Ho-Chunk Housing and Community Development Agency.

**BE IT FURTHER RESOLVED**, that Carol Whitethunder will abide by all terms and conditions of the Lease and all guidelines established by the Department of Housing and Register of Deeds Office.

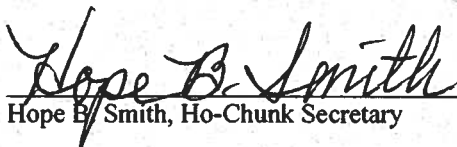
**BE IT FURTHER RESOLVED**, that the object of the Lease is to enable the Lessee(s) to construct, improve and/or maintain a dwelling and related structures on the Premises, and other wise to use or occupy said Premises for residential (housing) purposes. The use of Premises is in conformance with Ho-Chunk law.

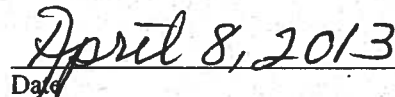
**BE IT FURTHER RESOLVED**, that the compensation for the Lease will be one (\$1) dollar per year with the payment of one twenty-five (25) year term due prior to lease issuance. The Ho-Chunk Nation Legislature further agrees that the compensation and having no periodic reviews is in the best interest to all parties entered into the Lease.

**BE IT FURTHER RESOLVED**, that the Legislature hereby gives the Nation's Vice President signature authority on any document needed to execute the Lease

#### CERTIFICATION

I, the undersigned, as Secretary of the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 9 constituting a quorum were present at a meeting duly called and convened and held on the 8<sup>th</sup> day of April, 2013, that the foregoing resolution was adopted at said meeting by an affirmative vote of 8 members, 0 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, Ho-Chunk Secretary

  
Date