



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE CANCELLATION OF LEASE HIP-425 (67) ON LOT # 39 OF INDIAN HEIGHTS # 439 T 2104

RESOLUTION 05-07-13J

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

WHEREAS, Article V, Section 2 (a) of the Ho-Chunk Nation Constitution ("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 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 in the HCN Trust property known as INDIAN HEIGHTS tract # 439 T 2104 within the legal description being part of SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29, Township 14 North, Range 6 East, 4th P.M., Town of Lyndon, Juneau County, Wisconsin, containing 83 acres, more or less, and subject to all valid existing rights of way; and

WHEREAS, on January 14, 1967, a ground lease covering Lot 39 of Indian Heights (Bureau of Indian Affairs Lease HIP-425 (67)) was entered into between the Wisconsin Winnebago Tribe ("WWT"), as Lessor, and Wisconsin Winnebago Housing Authority ("WWHA"), as Lessee; 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, on January 19, 1967 WWHA sub-leased its interest to Alvin Cloud, with the intention in naming Alvin Cloud the Lessee of BIA Lease HIP-425(67) once the obligation was met under said sub-lease; and

WHEREAS, though Alvin Cloud met all obligations under the sub-lease BIA Lease HIP-425(67) was never modified to name Alvin Cloud as the Lessee; and

WHEREAS, on September 3, 1998 a Bill of Sale was executed with Alvin Cloud as grantor and Theresa Day as grantee, granting all structures and appurtenances, equipment and other items that were constructed and/or furnished under BIA Lease HIP-425(67) but, said lease was never modified to name Theresa Day as the Lessee; and

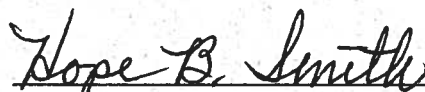
WHEREAS, as Theresa Day is the current owner of the permanent improvements on the property, the cancellation of the BIA Lease (HIP-424(67)) would clear title for a future lease in her name to be authorized on Lot 39 of Indian Heights; and

NOW THEREFORE, BE IT RESOLVED that the Ho-Chunk Nation Legislature hereby approves the cancellation of BIA Lease HIP-425 (67) on Lot 39 of Indian Heights and authorizes the Nation's Register of Deeds Office to proceed with the cancellation.

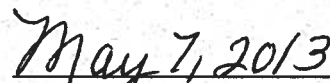
BE IT FURTHER RESOLVED that the Ho-Chunk Nation Legislature hereby grants the Vice-President signature authority for any documents needed to fulfill this action.

CERTIFICATION

I, the undersigned, as Secretary of the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **10** constituting a quorum were present at a meeting duly called and convened and held on the **7th day of May, 2013**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **10 members, 0 opposed, and 0 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, Tribal Secretary



Date