



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 TEMPORARY CONSTRUCTION
EASEMENT FOR CONSTRUCTION ON LOW CLOUD ROAD RETENTION PONDS**

RESOLUTION 05-20-13D

- 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 temporary construction easement in order to authorize road construction activities on the following parcel of Ho-Chunk Nation's tribal land;

Retention Pond A

Parcel of land for retention pond purposes located within the NE $\frac{1}{4}$ of Section 5, Township 21 North, Range 3 West, Jackson County, Wisconsin, more particularly described as follows:

Commencing at the NE $\frac{1}{4}$ Corner of said Section 5; thence S84°48'59"W, 338.50 feet; thence S1°35'56"W, 411.46 feet to the point of curvature; thence following a curve to the Right with a radius of 500.00 feet, an arc length of 256.44 feet with a chord bearing and distance of S16°17'31"W, 253.64 feet to the point of tangency; thence S30°59'50"W, 60.89 feet to a point known as Point "A"; thence N59°00'55"W, 33.00 feet to the Point of Beginning; thence continuing N59°00'55"W, 66.06 feet to the point of curvature; thence following a curve to the Left with a radius of 100.00 feet, an arc length of 38.25 feet with a chord bearing and distance of N69°58'24"W, 38.02 feet to the point of tangency; thence N80°55'53"W, 163.89 feet; thence S9°04'07"W, 80.00 feet; thence S80°55'53"E, 148.40 feet to the point of curvature; thence following a curve to the Right with a radius of 100.00 feet, an arc length of 38.25 feet with a chord bearing and distance of S69°58'24"E, 38.02 feet to the point of tangency; thence S59°00'55"E, 50.57 feet; thence N30°59'50"E, 80.00 feet back to the Point of Beginning, containing 0.465 acres more or less.

Executive Offices

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

Retention Pond B

Parcel of land for retention pond purposes located within the NE¼ of Section 5, Township 21 North, Range 3 West, Jackson County, Wisconsin, more particularly described as follows:

Commencing at said Point "A"; thence S30°59'50"W, 722.72 feet to point known as Point "B"; thence N59°00'55"W, 33.00 feet to the Point of Beginning; thence continuing N59°00'55"W, 116.96 feet; thence S30°59'50"W, 20.19 feet to the point of curvature; thence following a curve to the Left with a radius of 100.00 feet, an arc length of 157.08 feet with a chord bearing and distance of S14°00'55"E, 141.42 feet to the point of tangency; thence S59°00'55"E, 16.96 feet; thence N30°59'05"E, 120.19 feet back to the Point of Beginning, containing 0.273 acres more or less.

Retention Pond C

Parcel of land for retention pond purposes located within the NE¼ of Section 5, Township 21 North, Range 3 West, Jackson County, Wisconsin, more particularly described as follows:

Commencing at said Point "B"; thence S30°59'05"W, 196.42 feet to the point of curvature; thence following a curve to the Right with a radius of 475.00 feet, an arc length of 123.48 feet with a chord bearing and distance of S38°25'56"W, 123.14 feet to the point of curvature; thence following a curve to the Right with a radius of 475.00 feet, an arc length of 295.58 feet with a chord bearing and distance of S63°42'23"W, 290.83 feet to the point of curvature; thence following a curve to the Right with a radius of 475.00 feet, an arc length of 157.58 feet with a chord bearing and distance of N88°53'38"W, 157.99 feet to the point of tangency; thence N79°19'14"W, 59.60 feet to a point known as Point "C"; thence N13°33'57"E, 33.04 feet to the Point of Beginning; thence continuing N13°33'57"E, 152.96 feet; thence S85°39'03"E, 38.69 feet to the point of curvature; thence following a curve to the Right with a radius of 17.00 feet, an arc length of 21.17 feet with a chord bearing and distance of S49°58'04"E, 19.83 feet to the point of tangency; thence S14°17'05"E, 156.09 feet to the point of curvature; thence following a curve to the Right with a radius of 442.00 feet, an arc length of 71.70 feet with a chord bearing and distance of S83°58'05"W, 71.62 feet to the point of tangency; thence N79°19'14"W, 57.94 feet back to the Point of Beginning, containing 0.324 acres more or less.

Retention Pond D

Parcel of land for retention pond purposes located within the NE¼ of Section 5, Township 21 North, Range 3 West, Jackson County, Wisconsin, more particularly described as follows:

Commencing at said Point "C"; thence N79°19'14"W, 180.71 feet to the point of curvature; thence following a curve to the Left with a radius of 575.00 feet, an arc length of 426.25 feet with a chord bearing and distance of S79°26'34"W, 416.55 feet to the point of tangency; thence N18°31'32"W, 33.56 feet to the Point of Beginning; thence N13°44'33"W, 135.22 feet; thence S76°15'27"W, 39.15 feet; thence S6°53'21"E, 118.65 feet; thence S42°28'21"W, 49.23 feet to the point of curvature; thence following a curve to the Left with a radius of 27.00 feet, an arc length of 35.00 feet with a chord bearing and distance of S84°39'32"E, 32.60 feet to the point of tangency; thence N58°12'22"E, 58.91 feet to the point of curvature; thence following a curve to the Right with 608.00 feet, an arc length of 7.77 feet with a chord bearing and distance of N58°34'02"E, 7.77 feet back to the Point of beginning, containing 0.178 acres more or less.

NOW THEREFORE BE IT RESOLVED, The Ho-Chunk Nation Legislature grants a temporary construction easement for improving the tribally owned parcels of land directly benefiting the roadway.

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 temporary construction easement is waived.

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 **11** constituting a quorum, were present at a meeting duly called and convened and held on the **20th day of May, 2013**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **11 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.

Hope B. Smith
Hope B. Smith, Legislative Secretary

May 20, 2013
Date

