



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE CANCELLATION OF LEASE HIP-421 (67) ON LOT # 26 OF INDIAN HEIGHTS # 439 T 2104 RESCINDING 07/06/99 B

RESOLUTION 06-03-14Q

- 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 SW¼ NE¼ and SE¼ of Section 19, 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 Bureau of Indian Affairs Lease HIP-421 (67) lease covering Lot 26 of Indian Heights was entered into between the Wisconsin Winnebago Tribe ("WWT"), as Lessor, and Wisconsin Winnebago Housing Authority ("WWHA"), as Lessee; and

Executive Offices

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WHEREAS, on January 19, 1967, WWHHA sub-leased its interest in BIA HIP-421(67) Lease to Harry Cloud. Sometime between January 1972 when Mr. Cloud fulfilled his obligations under the sub-lease and July 6, 1999, the house site was given to someone else; and

WHEREAS, there is a lapse in documentation regarding how the lease was relinquished by WWHHA and how the house and site were transferred from Harry Cloud to Amy Mallory; and

WHEREAS, prior to the passing of resolution July 6, 1999, Ms. Mallory's brothers, through a series of notarized letters, signed off any interest they may have in her home; and

WHEREAS, HCN Resolution 07/06/99 B approved Amy Mallory to receive a Windfall Home on Lot 26 of Indian Heights through the Home Ownership Program. On August 13, 1999 Amy Mallory signed a Windfall Home Retention and Maintenance Agreement. She passed away intestate and without direct disposition of the home on November 6, 2002; and

WHEREAS, the Ho-Chunk Nation Trial Court ordered that the title of the property shall be restored to the Ho-Chunk Nation Home Ownership Program; and

WHEREAS, the cancellation of the BIA Lease (HIP-421(67)) would clear title for a future lease to be authorized on Lot 26 of Indian Heights.

NOW THEREFORE, BE IT RESOLVED that the Ho-Chunk Nation Legislature hereby rescinds Resolution 07/06/99 B and approves the cancellation of BIA Lease HIP-421 (67) on Lot 26 of Indian Heights and authorizes the Ho-Chunk Nation's Register of Deeds Office to proceed with the cancellation; and

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 11 constituting a quorum were present at a meeting duly called and convened and held on the 3rd day of June, 2014, that the foregoing resolution was adopted at said meeting by an affirmative vote of 11 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.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

6.3.14

Date