



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZING LEASE MODIFICATION FOR BIA LEASE B-1093(77)

RESOLUTION 07-09-13H

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 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 Constitution of the Ho-Chunk Nation ("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 and enter into treaties, contracts, and 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 land, interests in lands or other assets; and

WHEREAS, Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as many contribute to the social advancement of the members of the Ho-Chunk Nation; and

WHEREAS, the Nation is the beneficial owner of certain trust land known as Sand Pillow Village #439 T2132 located within Certified Survey Map 182 and being located in part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 5, Township 21 North, Range 3 West, Town of Brockway, Jackson County, Wisconsin containing 94.71 acres more or less and subject to all valid rights of way; and

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WHEREAS, the Wisconsin Winnebago Tribe (now known as the Ho-Chunk Nation) and the Wisconsin Winnebago Housing (now known as the Ho-chunk Housing and Community Development Agency) entered into BIA B-1093(77) lease covering the entire Ho-Chunk Property known as Sand Pillow Village #439 T2132 legal description of Part of the NE ¼ NE ¼ Section 5, Township 21 North, Range 3 West, Jackson County, Wisconsin, 94.71 acres more or less and subject to all easements of record; and

WHEREAS, the Nation succeeded to the lessor's interest in the Lease, and HHCDA succeeded to the lessee's interest in the Lease; and

WHEREAS, through numerous resolutions executed by the HHCDA Board of Commissioners on behalf of HHCDA, the Agency has relinquished its lease rights to certain lots on the property once the occupant has satisfied certain obligations; and

WHEREAS, there are Ho-Chunk Nation members that are now homes owners on the land and wish to pursue a lease of their own with the Nation, but as BIA B-1093(77) lease covers the entire property they are unable to get approved; and

WHEREAS, Further, beginning in 1983, the Nation has developed gaming and non-gaming tribal enterprises, including White Tail Crossing – BRF, and Ho-Chunk Gaming – BRF on part of the Premises, and plans to further develop these tribal enterprises; and

WHEREAS, HCN and HHCDA now wish Bureau of Indian Affairs ("BIA") to modify the legal description of the Lease to release the lessee's interest from those portions of the Premises that the Nation uses, or might plan to use, for its tribal enterprises and said portions are more particularly describes in attached Modification; and

WHEREAS, BIA requests that the Nation consent to this Lease Modification prior to its execution.

NOW THEREFORE BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby consents to the attached Lease Modification ("Lease Modification") and authorizes either the Nation's President or Vice President to sign said document on behalf of the Nation.

NOW THEREFORE, BE IT RESOLVED the Ho-Chunk Nation Legislature hereby authorizes the lease modification for BIA B-1093(77) deleting the relinquished lots.

BE IT FURTHER RESOLVED that the Ho-Chunk Nation Legislature hereby authorizes any lease modifications to add provisions needed to be approvable to the pre-existing leases previously approved by the Ho-Chunk Nation Legislature.

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 Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **8** constituting a quorum were present at a meeting duly called and convened and held on the **9th day of July, 2013**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 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 said 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

7.9.13
Date