



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION OF LAND LEASE ON LOT # 37 OF INDIAN HEIGHTS # 439 T 2104 FOR MANDA MANN

RESOLUTION 09-17-13G

- 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 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 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 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 September 15, 1998, Legislature approved Carson Funmaker as a Windfall Home recipient and subsequently, the house provided through the Bureau of Indian Affairs' Housing Improvement Program (as contemplated by lease HIP-424 (67)) was replaced by a Windfall Home located on Indian Heights Lot 37 ("Premises"); and
- WHEREAS,** Resolution 11-06-12J approved cancellation of Lease (HIP-424(67)) and Resolution 11-27-12F approved a lease on behalf of Robert Funmaker Jr. for the impending purchase of said Windfall Home; and
- WHEREAS,** terms of the previously submitted offer to purchase dated 10/04/2012 between Carson Funmaker and Robert Funmaker Jr. were not met, therefore, the purchase did not take place; and

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WHEREAS, on 8/29/2013 an offer to purchase between Carson Funmaker and Manda Mann was signed for the purchase of said Windfall Home; and

WHEREAS, Ho-Chunk tribal member Manda Mann now requests a land lease from the Nation on the Premises with a term of twenty-five (25) years, with an automatic renewal for an additional twenty-five (25) years.

NOW THEREFORE, BE IT RESOLVED that the Ho-Chunk Nation Legislature hereby rescinds Resolution 12-27-12F and further more grants a lease, with a term of twenty-five (25) years, with an automatic renewal for an additional twenty-five (25) years, to Manda Mann as Lessee(s), covering the Premises, more particularly described as:

Lot # 37, legal description being part of the SE¼ Section 19, Township 14 North, Range 6 East, Town of Lyndon, Juneau County, Wisconsin, approximately 36154 Sq. Ft. or .83 acres more or less and is subject to all easements of record.

BE IT FURTHER RESOLVED that Lessee will abide by all terms and condition of the lease and all guidelines established by the Department of Housing and Register of Deeds Office; and

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; and

BE IT FURTHER RESOLVED that the compensation for the Lease will be one (\$1) dollar per year with the payment of two (2) twenty-five (25) year terms 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; 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 8 constituting a quorum were present at a meeting duly called and convened and held on the 17th day of September, 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 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

9.17.13
Date