



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
AUTHORIZATION OF LAND LEASE ON
LOT # 10 OF WINNEBAGO HEIGHTS # 439 T 2100
FOR BETTY LAMERE AND RESCINDING 12-22-09I**

RESOLUTION 10-21-14CC

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 ("Legislature") is the duly constituted governing body of the 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 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 the WINNEBAGO HEIGHTS Tract # 439 T 2100 within the legal description of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, located in Section 15, Township 13 North, Range 5 East, Sauk County, Wisconsin, containing thirty (30) acres more or less and is subject to all easements of record and right-of ways of record; and

WHEREAS, Ho-Chunk Housing and Community Development Agency ("HHCDA") previously known as Wisconsin Dells Housing Authority, was granted BIA lease B-1056(77) over subject property to administer a housing program for the benefit of Nation members; and

WHEREAS, through said HHCDA program, Ms. Alice Cloud Bissonette was granted a home now located on Lot 10 of subject property; and

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WHEREAS, fulfilling the program requirements, HHCDCA transferred ownership of the home to Ms. Cloud Bissonette through a Bill of Sale recorded at the Ho-Chunk Nation Register of Deeds office as HCN Document number 1945 and further relinquished Lot 10 of subject property back to the Nation through HHCDCA Resolution 11-17-09A at which time the BIA Lease B-1056(77) was modified; and

WHEREAS, Ms. Alice Cloud Bissonette then applied for and was granted a Nation lease on Lot 10 of said property for the term twenty-five (25) years, with an option to renew for an additional twenty-five (25) years through Resolution 12-22-09I, a lease was drafted but never signed; and

WHEREAS, Ms. Cloud Bissonette sold the home through a Bill of Sale recorded at the Ho-Chunk Nation Register of Deeds office as HCN Document number 2288 to Ms. Jacqueline Funmaker who did not completed the lease process; and

WHEREAS, Now, Ms. Funmaker has sold said home to Ms. Betty LaMere through a Bill of Sale recorded at the Ho-Chunk Nation Register of Deeds office as HCN Document number 2490; and

WHEREAS, Ms. Betty LaMere, now requests a land lease from the Nation on Lot 10 of 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 12-22-09I and grants a lease, with a term of twenty-five (25) years, with an automatic renewal for an additional twenty-five (25) years, to Betty LaMere as Lessee(s), covering the Premises, more particularly described as:

Lot #10 WINNEBAGO HEIGHTS; legal description as follows: A parcel of land located in the SE ¼ NE ¼, Section 15, T13N, R5E, Town of Dellona, Sauk County, Wisconsin, which is bounded by a line described as follows:

Commencing at the East one-quarter corner of said Section 15; thence North, 376.00 feet along the east line of the NE ¼ of said Section 15 to the point of beginning;

Thence N89°59'54"W, 224.84 feet; thence along arc of the curve concave to the southwest, radius 60.00 feet (the chord of which bears N33°06'46"W, 47.89 feet) a distance of 49.26 feet; thence North, 109.89 feet; thence S81°14'48"E, 82.00 feet; thence N48°14'02"E, 93.79 feet; thence S89°59'54"E, 100.00 feet; thence South 200.00 feet to the point of beginning.

Together with an Ingress-Egress Driveway Easement across a portion of Lot 9, Winnebago Heights, described as follows:

A parcel of land located in Lot 9 of the Tribal Plat of Winnebago Heights, being in the SE¼-NE¼, Section 15, T13N, R5E, Town of Dellona, Sauk County, Wisconsin, which is bounded by a line described as follows: beginning at the northwesterly corner of said Lot 9, thence S89°59'54"E, 85.00 feet; thence S73°49'02"W, 89.61 feet to a point on the easterly right-of-way of the platted roadway; thence along the arc of a curve concave to the west, radius 60.00 feet (the chord of which bears N2°25'56"E, 25.00 feet) a distance of 25.19 feet to the point of beginning.

Said parcel contains .98 acres more or less, and is subject to all utilities, easements and rights-of-way of record; and

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 to otherwise 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 13 constituting a quorum were present at a meeting duly called and convened and held on the **21st day of October, 2014**, that the foregoing resolution was adopted at said meeting by an affirmative vote of 11 members, 0 opposed, and 2 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

10.21.14
Date