



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
AUTHORIZING ELECTRIC UTILITY EASEMENT  
IN FAVOR OF JACKSON ELECTRIC COOPERATIVE  
FOR THE 5 ACRES AT WAZEE LEASED BY THE BIA ROADS PROGRAM**

### **RESOLUTION 11-06-12I**

**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 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 land or other assets; and

**WHEREAS**, Article V, Section 2, (o) of the Constitution grants the Legislature the power to regulate and zone any lands within the jurisdiction of the Nation; and

**WHEREAS**, Article V, Section 2, (p) of the Constitution grants the Legislature the power to regulate a system of property including but not limited to use, title, deed, estate, inheritance, transfer, conveyance, and devise; 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 Nation; and

#### **Executive Offices**

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

**WHEREAS,** the Ho-Chunk Nation is the beneficial owner of certain land in the Town of Komensky, known as the Wazee Wastewater property, SW¼ - NE¼, Section 31, T22N, R3W, Town of Komensky, Jackson County, Wisconsin (the "Premises"), which consists of five acres that has been leased to the BIA Roads Division; and

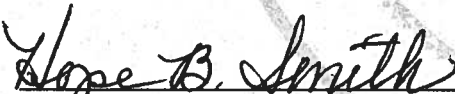
**WHEREAS,** Jackson Electric Cooperative has requested the Nation to grant it a right-of-way easement for the purpose to construct and maintain an electric distribution line or system and other systems for communications and data distribution for the five acres site on the Premises, together with other easement rights including access, ingress and egress over the Premises.


**NOW THEREFORE, BE IT RESOLVED,** that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, hereby consents to the granting of the attached Right-of-Way Easement for a period of fifty (50) years in favor of Jackson Electric Cooperative.

**BE IT FURTHER RESOLVED,** that the Legislature authorizes either the Ho-Chunk Nation President or Vice President to sign the Easement on behalf of the Nation.

#### 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 **8** constituting a quorum, were present at a meeting duly called and convened and held on the **6<sup>th</sup> day of November, 2012**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 members, 1 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, Tribal Secretary

  
\_\_\_\_\_  
Date