



# HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
AUTHORIZATION FOR VICE PRESIDENT TO SIGN  
THE ROAD AGREEMENT WITH TOWN OF BROCKWAY  
AND DEPARTMENT OF INTERIOR-BUREAU OF INDIAN AFFAIRS  
RESOLUTION 6-17-08 I**

- 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,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") grants the Ho-Chunk Nation Legislature ("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, compacts, 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 lands, interests in lands or other assets; and
- WHEREAS,** Article V, Section 2(o) of the Constitution grants the Legislature the power to enact laws to regulate and zone any lands within the jurisdiction of the Ho-Chunk Nation; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and
- WHEREAS,** in the Town of Brockway, there are TWO ROADS called Mission Road and Sandpillow Road (hereinafter "TWO ROADS"); and
- WHEREAS,** the legal description of the relevant section of Mission Road is:

A PART OF THE SE1/4 OF THE SE1/4 OF SECTION 6 AND A PART OF THE W1/2 OF THE SW1/4, THE SW1/4 OF THE NW1/4, AND THE E1/2 OF THE NW1/4 OF SECTION 5 T21N, R3W, TOWNSHIP OF BROCKWAY, JACKSON COUNTY, WISCONSIN. COMMENCING AT THE SE CORNER OF SAID SECTION 6; THENCE N89°29'26"W, 599.59 FEET; THENCE N27°31'26"E, 37.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N27°31'26"E, 5951.89 FEET TO THE NORTH LINE OF THE NW 1/4 OF SECTION 5; THENCE S89°36'16"E, ALONG THE NORTH LINE OF SAID NW 1/4, 74.16 FEET; THENCE S27°31'26"W, 5,952.06 FEET; THENCE N89°29'26"W, 74.08 FEET TO THE POINT OF BEGINNING CONTAINING 392,830.15 SQ.FT OR 9.02 ACRES

### **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 legal description of the relevant section of Sandpillow Road is:

A PART OF THE NE 1/4 OF THE NW1/4, THE NW1/4 OF THE NE 1/4, AND THE NE 1/4 OF THE NE 1/4 OF SECTION 5, AND A PART OF THE N/W 1/4 OF THE NW 1/4 AND THE NE1/4 OF THE NW 1/4 OF SECTION 4, ALL IN T21N, R3W, TOWN OF BROCKWAY, JACKSON COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: COMMENCING AT THE N1/4 CORNER OF SAID SECTION 5, THENCE S89°35'19"E, 2635.25 TO THE NE CORNER OF SECTION 5; THENCE S89°35'02"E, 2652.34 FEET TO THE N1/4 CORNER OF SECTION 4; THENCE S0°35'30"W, ALONG THE 1/4 LINE 33.00 FEET; THENCE N89°35'02"W, 2652.24 FEET; THENCE N89°35'19"W, 2635.25; THENCE N89°36'16"W, 84.85 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 535.42 AND A CENTRAL ANGLE OF 15°01'58"; THENCE ALONG THE ARC OF SAID CURVE 140.48 FEET; THENCE S75°21'46"W, 125.25 FEET TO THE PC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 190.34 FEET AND A CENTRAL ANGLE OF 44°53'37"; THENCE ALONG THE ARC OF SAID CURVE 149.14 FEET; THENCE N59°44'37"W, 42.32 FEET TO THE EAST LINE OF MISSION ROAD; THENCE N27°31'26"E, ALONG THE EAST LINE OF MISSION ROAD 49.42 FEET TO THE NORTH LINE OF SAID SECTION 5; THENCE S89°36'16"E, ALONG SAID NORTH LINE 33.41 FEET TO THE NORTH R/W LINE OF SAND PILLOW ROAD; THENCE S59°44'37"E, ALONG SAID NORTH R/W LINE 15.70 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 124.34 FEET AND A CENTRAL ANGLE OF 44°53'37"; THENCE ALONG THE ARC OF SAID CURVE 97.42 FEET; THENCE N75°21'46"E, 77.37 FEET TO THE NORTH LINE OF SAID SECTION 5; THENCE S89°36'16"E, 287.10 FEET TO THE N1/4 CORNER OF SAID SECTION 5, AND THE POINT OF BEGINNING; and

**WHEREAS,** the Town's interest in the TWO ROADS is not subject to any adverse title issues; and

**WHEREAS,** the TWO ROADS serve Ho-Chunk Tribal Members as well as other citizens of the Town; and

**WHEREAS,** the Department of Interior, Bureau of Indian Affairs (hereinafter "Bureau") is responsible to insure roads serving Indian Communities are adequately maintained for these Communities social and economic development; and

**WHEREAS,** the Nation, the Town of Brockway, and the Bureau negotiated an Agreement with respect to roads within the Town of Brockway; and

**WHEREAS,** a copy of the Agreement is attached to this Resolution. Major aspects of the Agreement include that:

- (1) The Town of Brockway will transfer to the Bureau a fee simple interest in the TWO ROADS;
- (2) The Bureau will expend \$620,500 repairing the TWO ROADS within two years of transfer of the Roads;
- (3) The Bureau will give an additional \$620,500 to the Town of Brockway; and
- (4) The Town of Brockway agrees to spend the \$620,500 solely on the rehabilitation and reconstruction of eighteen possible roads. The names of the eighteen possible roads are contained within the Agreement.

**WHEREAS,** the Town of Brockway signed the Agreement.

**NOW THEREFORE BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority, authorizes the Vice President to sign the Agreement on behalf of the Nation.

**BE IT FURTHER RESOLVED** that the Legislature, pursuant to its Constitutional authority, directs the signed Agreement to be sent to the appropriate officials within the Bureau of Interior Affairs.

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **10 members**, of whom **7** constituting a quorum were present at a meeting duly called and convened and held on the **17th day of June, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 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.



Elliott Garvin, Tribal Secretary

6-17-08

Date