



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE PURCHASE OF SILLER AND MORATH PROPERTIES RESOLUTION 1-19-10 G

- 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, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; 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(k) of the Constitution grants the Legislature the power to acquire or purchase lands for the benefit of the Nation and its members; 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,** the Legislature via motion authorized for the Highway 12 Workgroup to commence negotiations on offers to purchase properties commonly referred to as the Siller and Morath properties adjacent to Ho-Chunk Nation property in the Town of Delton, Wisconsin; and
- WHEREAS,** the Siller property has an address of S2670 HWY12 and a legal description of S½ of S½ NW¼S3T12N R6E and was originally listed for sale at the asking price of \$950,000.00; and
- WHEREAS,** the members of the HWY 12 workgroup and the owners of the Siller property agreed to a price of \$600,000.00 for the Nation to purchase the Siller property; and
- WHEREAS,** the Morath property has an address of HWY 12 & Shady Lane with a legal description of NW¼ SW¼S3T12NR6E and was originally listed for sale at an asking price of \$765,000.00; and
- WHEREAS,** the members of the HWY 12 workgroup and the owners of the Morath property agreed to a price of \$550,000.00 for the Nation to purchase the Morath property.

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NOW THEREFORE BE IT RESOLVED, that the Legislature, pursuant to its Constitutional authority, directs the Ho-Chunk Nation Department of Justice to draft a Letter of Intent to Purchase and Offer to Purchase for the Siller property for \$600,000.00.

BE IT FURTHER RESOLVED, that the Legislature, pursuant to its Constitutional authority, directs the Ho-Chunk Nation Department of Justice to draft a Letter of Intent to Purchase and Offer to Purchase for the Morath property for \$550,000.00.

BE IT FURTHER RESOLVED, that the Legislature, pursuant to its Constitutional authority, authorizes the Vice President to sign both Letters of Intent to Purchase and Offers to Purchase for both properties on behalf of the Nation.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 12 constituting a quorum were present at a meeting duly called and convened and held that on the 19th day of January, 2010, that the foregoing resolution was adopted at said meeting by an affirmative vote of 10 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.

Hope B. Smith
Hope B. Smith, Tribal Secretary

1-19-10
Date

