



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION OF ELECTRIC TRANSMISSION LINE EASEMENT WITH AMERICAN TRANSMISSION COMPANY

RESOLUTION NO. 06-29-10 B

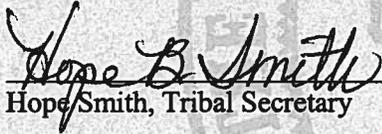
- WHEREAS,** on November 1, 1994, the U.S. Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization 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, 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 lands or other assets; and
- WHEREAS,** Article V, Section 2(o) of the Constitution authorizes the Legislature to regulate and zone any lands within the jurisdiction of the Nation; and
- WHEREAS,** the Nation has worked with other governmental agencies and local governments on road construction projects that have required right-of-way agreements and easements, in order to promote the safety, health and welfare of the Nation, its members and its economic interests; and
- WHEREAS,** the Nation received federal funds in 2010 through the American Recovery and Reinvestment Act for road improvements on Wood County Highway G, which is located on lands held in trust for Nation, and said improvements are currently under construction in order to improve the safety of tribal members and others on Ho-Chunk lands; and
- WHEREAS,** the Nation entered into a Cooperative Agreement with Wood County in order to memorialize the duties, obligations and responsibilities for the road construction project on Wood County Highway G, as approved by the Legislature through *Resolution 12-22-09L*; and
- WHEREAS,** to continue the road improvement project, American Transmission Company ("ATC") needs to move electric transmission lines that are currently on 4.35 acres of the Nation's lands along Wood County Highway G, and ATC has proposed an easement agreement that must be executed prior to continuing further road work; and

WHEREAS, in order to continue the Wood County Highway G road improvements, ATC has proposed an easement on the Nation's land described as follows: Part of the Nation's land located in the West fractional 1/2 of the SW 1/4 (PIN 13-00466) and part of the West fractional 1/2 of the NW 1/4 (PIN 13-00463), Section 19, Town 21, North, Range 5 East, Town of Port Edwards, Wood County, Wisconsin (See Exhibit A attached to Easement agreement); and

NOW, THEREFORE, BE IT RESOLVED, that the Ho-Chunk Nation Legislature grants the easement, pursuant to the terms described therein, with ATC, on the basis that ATC will release the easement after completion of all necessary work needed for said easement; and further, that the terms of compensation described within the easement are agreed upon; and further that the Legislature authorizes the President or Vice President of the Nation to execute the easement.

CERTIFICATION

I, the undersigned, as Tribal Secretary of the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 11 constituting a quorum were present at a meeting duly called, convened, and held on the 29th day of June, 2010, adopted the foregoing resolution at said meeting by an affirmative vote of 11 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 U.S. 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.


Hope Smith, Tribal Secretary


Date