



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

### **HO-CHUNK NATION LEGISLATURE CANCELLATION OF HCN LAND LEASE ON LOT #3 POTCH HA CHEE V RESCINDING 10-18-05 B**

#### **RESOLUTION 3-20-12 C**

- 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 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 is the duly constituted governing body of the Ho-Chunk Nation ("Legislature") pursuant to the Constitution of the Ho-Chunk Nation; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("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 a 100% interest in the property known Potch Ha Chee V, BIA Tract #441 T2157 within the legal description of the SW1/4 SE1/4 Section 34, T28N, R11E, Township of Birnamwood, Shawano County, Wisconsin; and
- WHEREAS,** HCN resolution 10-18-05 B approved Richard K. Decorah for a lease on Lot 3 of said property, and
- WHEREAS,** it is the policy of the nation to take cancellation measures in the event that construction of a residence is not begun within one year of the commencement of a residential lease; and

#### **Executive Offices**

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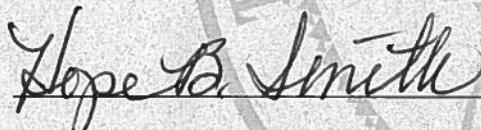
**WHEREAS,** Register of Deeds Office has begun enforcement of the leases in non-compliance to open these lots to other Ho-Chunk Members and families looking for lease lots to build their homes; and

**WHEREAS,** on February 2, 2012, the Register of Deeds Office sent a letter to Lessee notifying him of his non-compliance with this policy, informing him of the pending cancellation of the land lease, and requested documentation should any construction be imminent but no response has been received to date; and

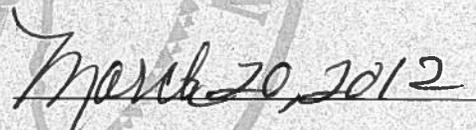
**NOW THEREFORE, BE IT RESOLVED** that the Ho-Chunk Nation Legislature hereby approves cancellation of lease granted by 10-18-05 B and authorizes the Register of Deeds Office to proceed with cancellation of the Lease.

### **CERTIFICATION**

I, 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 7 constituting a quorum were present at a meeting duly called and convened and held on the 20<sup>th</sup> day of March, 2012, that the foregoing resolution was adopted at said meeting by an affirmative vote of 6 members, 0 opposed, and 1 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, Tribal Secretary



Date: