



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE AUTHORIZING NATURAL GAS UTILITY EASEMENT FOR CHAKH HAH CHEE RESOLUTION 04-05-11 D

**WHEREAS**, on November 1, 1994, the 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 Constitution of the Nation ("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 lands 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**, the Nation is the beneficial owner of certain trust lands in Wood County, Wisconsin, known as Chakh Hah Chee ("Property"); and

**WHEREAS**, the Nation, by and through its Department of Business, wants WE Energies to install natural gas pipelines to serve the casino, outbuildings, and residences on the Property; and

**WHEREAS**, WE Energies requires the granting of the attached easement over to the Property to construct the pipelines; and

**WHEREAS**, the U.S. Bureau of Indian Affairs ("BIA") has requested the Legislature to consent to granting of this easement.

#### **Executive Offices**

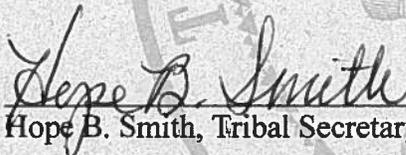
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**NOW THEREFORE BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority, waives any compensation from WE Energies in connection with this easement, and hereby consents to the granting of the attached natural gas utility easement, without limitation as the term of years, over the Property in favor of WE Energies.

**BE IT FURTHER RESOLVED**, that nothing in this Resolution constitutes a waiver of the Nation's sovereign immunity and the Legislature authorizes the Ho-Chunk Nation President or Vice President to sign any and all documents required to grant this easement on behalf of the Nation.

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, 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 5<sup>th</sup> day of April, 2011, that the foregoing resolution was adopted at said meeting by an affirmative vote of 6 members, 0 opposed, and 1 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.

  
\_\_\_\_\_  
Hope B. Smith, Tribal Secretary

  
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Date