



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
GRANTING OF A TEMPORARY CONSTRUCTION
EASEMENT FOR CONSTRUCTION ON THE HO-CHUNK NATION
POW WOW GROUNDS IN BLACK RIVER FALLS, WISCONSIN
RESOLUTION 7-07-09 E**

- WHEREAS,** on November 1, 1994, the United States Secretary of 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(p) of the Constitution grants the Legislature the power to enact laws to create and regulate a system of property including but not limited to use, title, deed, estate, inheritance, transfer, conveyance, and devise; and
- WHEREAS,** Article V, Section 2(w) of the Constitution grants the Legislature the power to enact laws to regulate hunting, fishing, trapping, recreation and all other related activities on lands within the Nation's jurisdiction; 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 Ho-Chunk Nation works with other Governmental agencies, and from time to time will be obligated to grant right-of-ways to these governmental agencies for road construction, road improvements, improvement to the Ho-Chunk Nation's land, etc.; and
- WHEREAS,** the Bureau of Indian Affairs requires granting of a right-of-way or temporary construction easement in order to authorize improvements on the following parcel of Ho-Chunk Nation's tribal land:

"the SE ¼ of the SW ¼ of the SW ¼ of Section 34, T22N, R3W, Town of Komensky, Jackson County, Wisconsin."

Executive Offices

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NOW THEREFORE BE IT RESOLVED, the Ho-Chunk Nation Legislature grants a temporary construction easement for BIA improvements on the above parcels of land and that a more clearly defined description will be prepared upon completion of the survey.

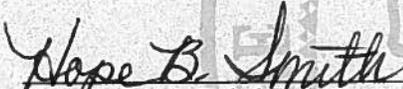
BE IT FURTHER RESOLVED, that due to overall benefits to the Ho-Chunk Nation and its members derived from the improvements to the parcel of land, compensation for granting of the temporary construction easement is waived.

BE IT FURTHER RESOLVED, that the Ho-Chunk Nation will retain control and jurisdiction of said right of way and will keep it open to the public.

BE IT FURTHER RESOLVED, that the Superintendent, BIA Great Lakes Agency, is requested to prepare the necessary documents that the Ho-Chunk Nation Vice President is authorized to sign such documents for and on behalf of the Ho-Chunk 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 13 constituting a quorum were present at a meeting duly called and convened and held on the 7th day of July, 2009, that the foregoing resolution was adopted at said meeting by an affirmative vote of 13 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.



Hope B. Smith, Tribal Secretary



Date

