



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
ADOPTION OF THE BUREAU OF INDIAN AFFAIRS
RESOLUTION GRANTING A TEMPORARY CONSTRUCTION
EASEMENT FOR KINGSLEY BEND
RESOLUTION 7-21-09 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 empowers the Legislature 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 empowers the Legislature to enact laws to regulate and zone any lands within the jurisdiction of the Ho-Chunk Nation; and
- WHEREAS,** the Ho-Chunk Nation, from time to time, has worked with other Governmental agencies, and will be obligated to grant right-of-ways to these governmental agencies for road construction, road improvements, etc, and
- WHEREAS,** the Ho-Chunk Nation has in the past, worked with the Bureau of Indian Affairs, and will into the future, and
- WHEREAS,** the Bureau of Indian Affairs requires the granting of a temporary construction easement in order to authorize road construction on the following parcel of Ho-Chunk Nation's tribal land;

A parcel of land located in the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, and the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, T13N, R7E, located within the town of Newport, Columbia County, Wisconsin.

Commencing at a $\frac{3}{4}$ " iron pipe at the Southeast corner of said Section 18;

Thence North 182.89 feet along the East line of said Section 18 to the reference line of USH 16; Thence N69°25'W, 2818.95 feet along said reference line to the East line of the Southwest $\frac{1}{4}$ of said Section 18, and the point of beginning; Thence S0°28'E, 766.20 feet along the East line of the Southwest $\frac{1}{4}$ of said Section 18, to the Northerly Railroad right-of-way; Thence N73°45'W, 1078.00 feet along the Northerly Railroad right-of-way; Thence N16°15'E, 20.00 feet along the Northerly Railroad right-of-way; Thence N73°45'W, 300.00 feet along the Northerly Railroad right-of-way; Thence S16°15'W, 20.00 feet along the Northerly Railroad right-of-way; Thence N73°45'W, 314.34 feet along the Northerly Railroad right-of-way; Thence N20°33'E, 925.98 feet to the Northerly right-of-way of USH 16; Thence S69°25'E, 40.30 feet along the Northerly right-of-way of USH 16; Thence North 32.70 feet; Thence N87°26'E, 1253.83 feet to the East line of the Southwest $\frac{1}{4}$ of said Section 18; Thence S0°16'E, 649.31 feet along the East line of the Southwest $\frac{1}{4}$ of section 18, to the point of beginning.

Except the land already in use for highway purposes as shown on the attached Exhibit B

Except the land lying North of USH 16

Executive Offices

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
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NOW THEREFORE BE IT RESOLVED, that the Ho-Chunk Nation Legislature hereby warrants, covenants, and grants a temporary construction easement for the Bureau of Indian Affairs road construction, on the above named parcel of land, hereby is approved. A more clearly defined description will be prepared upon the completion of the required survey.

BE IT FURHTER RESOLVED, due to the overall benefits to the Ho-Chunk Nation and its members derived from the road construction, compensation for granting the right-of-way is hereby waived. The Superintendent, Great Lakes Agency, is requested to prepare and recommend approval of the easement documents.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of the 13 members, of whom 11 constituting a quorum, were present at a meeting duly called and convened and held on the 21st day of July, 2009, that the foregoing resolution was adopted at said meeting by an affirmative vote of 9 members, 0 opposed and 2 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 the foregoing resolution has not been rescinded or amended in any way. I further certify that this a verified copy of said resolution.

Hope B Smith
Hope B. Smith, Tribal Secretary

7-21-09
Date

