



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE RESCINDING RESOLUTION 11-23-05 O AND TERMINATING LAND LEASE WITH SAMUEL C. SHEGONEE RESOLUTION 11-17-09 C

- 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 Ho-Chunk 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(k) of the Constitution grants the Legislature the power to acquire or purchase lands for the benefit of the Nation and its members; 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 Legislature, by its resolution 11-23-05 O, authorized a Land Lease, dated December 6, 2005 ("Lease") to Ho-Chunk Member Samuel C. Shegonee to construct, improve and maintain a dwelling on Lot 20 of the East Sandpellow Subdivision in part of the NW¼ of the NW¼ and part of the NE¼ of the NW¼ of Section 4, T21N, R3W, Town of Brockway, Jackson County, Wisconsin, approximately .74 acres, more or less ("Lot"); and
- WHEREAS,** under the terms of the Lease, Lessee cannot assign the Lease without the prior consent of the Nation, as Lessor, which has not been granted; and
- WHEREAS,** Lessee Samuel Shegonee has passed away without beginning any construction on the Lot or executing a beneficiary statement pursuant to the Lease; and
- WHEREAS,** the Legislature has determined that it is in the best interest of the Nation to make the Lot available to the Ho-Chunk membership to lease for the purpose of constructing, improving, and maintaining a dwelling.

NOW THEREFORE, BE IT RESOLVED, that the Ho-Chunk Nation Legislature hereby rescinds its resolution 11-23-05 O, authorizing a residential lease with Ho-Chunk Member Samuel C. Shegonee, and covering Lot 20 of the East Sandpellow Subdivision in part of the NW¼ of the NW¼ and part of the NE¼ of the NW¼ of Section 4, T21N, R3W, Town of Brockway, Jackson County, Wisconsin, approximately .74 acres, more or less.

Executive Offices

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

BE IT FURTHER RESOLVED, due to the death of the Lessee, without executing a beneficiary statement, the Nation, as Lessor, also hereby terminates the Lease.

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 8 constituting a quorum were present at a meeting duly called and convened and held on the 17th day of November, 2009, that the foregoing resolution was adopted at said meeting by an affirmative vote of 7 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
Hope B. Smith, Tribal Secretary

11-17-09
Date

