



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE CONSENT TO ELECTRIC RIGHT-OF-WAY EASEMENT BY BUREAU OF INDIAN AFFAIRS RESOLUTION 7-08-08 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 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,** Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as many contribute to the social advancement of the members of the Nation; and
- WHEREAS,** the Nation is the beneficial owner of certain land in Wittenberg, which is held in trust by the U.S. Bureau of Indian Affairs; said land is described as: The South 330 feet of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 4, Township 27 North, Range 11 East, 4th P.M., Shawano County, Wisconsin, containing 10 acres, more or less (the "Premises"); and
- WHEREAS,** Central Wisconsin Electric Cooperative seeks a 10' wide right-of-way easement over a portion of the Premises to construct and maintain an underground line to provide electrical service to the Ho-Chunk North Ancillary Casino; and
- WHEREAS,** the U.S. Bureau of Indian Affairs requires the consent of the Nation to the granting of said right-of-way easement.

NOW THEREFORE BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby consents to the granting of the attached electric line right-of-way easement, with a term of 50 years, by the U.S. Bureau of Indian Affairs, as trustee for the Nation, in favor of Central Wisconsin Electric Cooperative.

Executive Offices

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CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **10 members**, of whom **8** constituting a quorum were present at a meeting duly called and convened and held on the **8th day of July, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 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.



Elliott Garvin, Tribal Secretary

7-8-08

Date

