

Oneida Tribe of Indians of Wisconsin

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Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

RESOLUTION NO. 11-26-97-A 1/2 Fair Rental Fees Resolution

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and Treaty Tribe recognized by the laws of the United States, and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Business Committee has been delegated the authority of Active IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1 of the Oneida Constitution by the Oneida General Tribal Council to protect and preserve the sovereignty of the Oneida Tribe, its rights and its resources, and

WHEREAS, the Oneida Division of Land Management is authorized to execute residential leases with tribal members on behalf of the Oneida Tribe of Indians of Wisconsin due to the self-governance compact of January 1, 1996, and

WHEREAS, the Oneida Business Committee is entrusted with the responsibility of protecting the resources and welfare of tribal members, and

WHEREAS, the Residential leases are entered into in order to enable the Lessee(s) to construct, improve and/or maintain a dwelling and related permanent structures on a rental premises, and to use or occupy said premises for residential purposes, and

WHEREAS, the present residential lease inadequately protects the spouse of the Lessee and also inadequately protects the Tribe's interest as "Lessor" when dealing with non-tribal members, and

WHEREAS, the lease will be a term of 25 years, which shall automatically, and without notice, renew for an additional term of 25 years, with an annual rent due based on a 1/2 Fair Market Rental rate broken down as follows:

EXAMPLE:

| | | |
|--|-------------------|---------------|
| ACTUAL COSTS OF LAND (APPRAISED VALUE AT THE TIME OF PURCHASE) | \$30,000 | |
| ACREAGE BEING USED FOR HOME SITE | X .25 | |
| | LAND VALUE | \$7,500 |
| LAND VALUE DIVIDED BY 50 YEARS OF USE (1/2 FAIR MARKET VALUE) | | <u>50</u> YRS |
| | ANNUAL AMOUNT DUE | \$ 150 |

WHEREAS, the Lessee agrees that unless otherwise provided herein, this residential lease shall be entered into by the Lessee and his/her spouse (as applicable) and both shall be designated as the Lessee(s) for purposes of this agreement. The Secretary of the Interior and the Oneida Business Committee reserve the right to restore the lease rate to the fair market value (double 1/2 fair rental fee) as determined by the above equation, if the leasehold interest is held by a person who is a non-member of the Oneida Tribe of Indians of Wisconsin. (Resolution No. 4-16-84-B)

WHEREAS, the following provision addressing remedies for delinquent annual payments are to be determined as follows:

It is understood and agreed between the parties hereto that, if any installment of rental is not paid within 30 days after becoming due, interest will be assessed based on the Average Prime Rate in effect on the last day of each month, plus three (3) percent. Interest assessed pursuant to this provision will become due and payable from the date such rental becomes due and will continue until said rental is paid.


EXAMPLE: If the Lessee become delinquent on the week ending October 28, the average prime rate is 7%. The effective rate is 10%. (7% + 3% = 10%)

NOW, THEREFORE, BE IT RESOLVED, by this Committee in Regular session assembled, hereby approve request the Division of Land Management on behalf of the Oneida General Tribal Council supports the amended resolution to the residential lease executed between the Oneida Tribe of Indian of Wisconsin and the Lessee, and

BE IT FURTHER RESOLVED, that the Chairwoman and Secretary of the Oneida Business Committee are hereby authorized to execute lease documents for and on behalf of the Oneida Tribe of Indians of Wisconsin.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 Members, of whom 5 Members, constituting a quorum, 8 were present at a meeting duly called, noticed, and held on the 26th day of November, **1997**; that the foregoing resolution was duly adopted at such meeting by a vote of 7 Members For, 0 Members Against, 0 Members Not Voting, and that said resolution has not been rescinded or amended in any way.


Julie Barton, Tribal Secretary
Oneida Tribe of Indians of Wisconsin

1