

Committee: Rules

Date: 2/6/2023 Committee Date: 2/23/2023

Author: Chuck Hoskin Jr.

Sponsor: Keith Austin, Melvina Shotpouch, Mike Shambaugh, Victoria Vazquez, Dora Patzkowski, Julia Coates, Rex Jordan & Candessa Tehee

**RESOLUTION NO. 05-23**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION AUTHORIZING A LIMITED CONSENT TO SUIT  
RELATED TO THE PURCHASE OF PROPERTY FROM THE OKLAHOMA  
HISTORICAL SOCIETY**

**WHEREAS**, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people; and

**WHEREAS**, the Cherokee Nation is a federally recognized Indian Nation with an historic and continual government to government relationship with the United States of America; and

**WHEREAS**, the Nation is immune from suit under federal, state and tribal law; and

**WHEREAS**, the Nation has inherent sovereign power by virtue of its constitution and tribal law to enter into contractual agreements and execute such consents to suit as may be necessary for such agreements; and

**WHEREAS**, the Nation cannot be sued unless the Council of the Cherokee Nation expressly consents to such suit; and

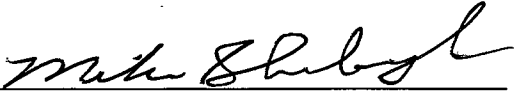
**WHEREAS**, Cherokee Nation wishes to purchase the Will Rogers Birthplace historic property in Oologah, Oklahoma, consisting of approximately 162 acres of real property and specifically including all improvements thereon, from the Oklahoma Historical Society; and

**WHEREAS**, the proposed Real Estate Sale Contract contains provisions that would allow the Nation to be sued consistent with the following limitations in scope: the suit can relate only to the Will Rogers birthplace property and the Nation's obligations under the Contract.


**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation hereby authorizes the Principal Chief and/ or his designee to execute all documents necessary for the Cherokee Nation to purchase such real property from the Oklahoma Historical Society, specifically including a limited consent to suit.

**CERTIFICATION**

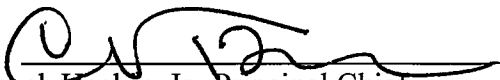
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 13<sup>th</sup> day of March, 2023, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

  
Mike Shambaugh, Speaker  
Council of the Cherokee Nation

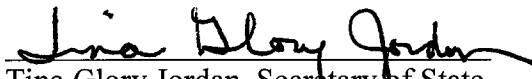
**ATTEST:**

  
Dora Patzkowski, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22<sup>nd</sup> day of March, 2023.

  
Chuck Hoskin, Jr., Principal Chief  
Cherokee Nation

**ATTEST:**

  
Tina Glory Jordan, Secretary of State  
Cherokee Nation

