

Committee: Resource  
Date: 11-29-23 Committee Date: 12-11-23

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Sponsor: Josh Sam, Codey Poindexter, Mike Shambaugh, Dora Patzkowski, Victoria Vazquez

**RESOLUTION NO. 42-23**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRIBAL TRUST LAND TO DAHLONEGAH SCHOOL, INDEPENDENT SCHOOL DISTRICT NO. 29**

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

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

**WHEREAS**, Dahlongah School wishes to lease a portion of Tribal Trust land located at the Cherokee Nation Trust Land south of Stilwell, OK for a term of fifty (50) years beginning January 1, 2024, with an option to renew for an additional fifty (50) years, subject to conditions set in the lease. The Tribal Trust tract is on CMS-1 South located in Sections 28 & 29, Township 15 North, Range 25 East, Adair County, Oklahoma;

**WHEREAS**, The Cherokee Nation requests an extended lease term for the business lease, pursuant to *25 USC 415(A)*;

**WHEREAS**, the Cherokee Nation Real Estate Services requests the Tribal Council to issue a waiver of said regulation requiring bonds on Cherokee Tribal Land Leases pursuant to regulations contained in *25 CFR §162.434(f)(g)*. Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe, and;

**WHEREAS**, The Cherokee Nation requests a Waiver of Valuation and that the Negotiated Value between Cherokee Nation and Dahlongah Independent School District No. 29 be used pursuant to *25 CFR §162.420(a)*.


1. Cherokee Nation has negotiated compensation satisfactory to the tribe.
2. Cherokee Nation waives valuation; and
3. Cherokee Nation has determined that accepting such negotiated compensation and waiving valuation is in the best interest of the Cherokee Nation.

**WHEREAS**, The Cherokee Nation believes that not having a Compensation Review or adjustment is in the best interest of the tribe pursuant to *Title 25 CFR §162.428(a)*.


**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Principal Chief of Cherokee Nation, Chuck Hoskin Jr., and/or his authorized designee(s) be authorized to enter into the above described leasing, with the negotiated compensation with the appraisal and bond waived, in accordance with 25 CFR § 162, the Bureau of Indian Affairs policy and procedure for leasing of land owned by United States of America in Trust for Cherokee Nation.

**CERTIFICATION**


The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 11<sup>th</sup> day of December, 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 11<sup>th</sup> day of December, 2023.

  
Chuck Hoskin Jr., Principal Chief  
Cherokee Nation

**ATTEST:**

  
Shella Bowlin, Secretary of State  
Cherokee Nation