

Committee: Resource
Date: 1/3/23 Committee Date: 1/16/23

Author: Ginger Reeves
Sponsor: Mike Shambaugh, Melvina Shotpouch, E. O. Smith, Victoria Vazquez, Dora Patzkowski, Candessa Tehee, Sasha Blackfox-Qualls, Mike Dobbins, Daryl Legg, Joshua Sam, Codey Poindexter, Joe Deere, Kevin Easley, Danny Callison, Julia Coates, Johnny Kidwell

RESOLUTION NO. 04-24

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRIBAL TRUST LAND FOR AN ANIMAL SHELTER IN DELAWARE COUNTY TO KENWOOD ANIMAL RESCUE

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, the Kenwood Animal Rescue wishes to lease a portion of the Cherokee Nation Trust Land located in Kenwood OK for a term of ten (10) years beginning on the date of approval by the Bureau of Indian Affairs, with an option to renew for an additional ten (10) years, subject to conditions set in the lease. The rental amount will be negotiated between the Cherokee Nation and Kenwood Animal Rescue. The Tribal Trust tract is located on part of Section 8, Township 21 North, Range 22 East, Delaware County, Oklahoma;

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 Kenwood Animal Rescue be used pursuant to **25 CFR §162.420(a)**.

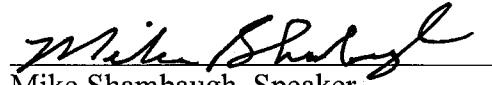
1. Cherokee Nation has negotiated compensation satisfactory to the tribe.
2. Cherokee Nation waives valuation; and
3. Cherokee Nation has determined that accepting such negotiated compensation and waiving valuation is in the best interest of the Cherokee Nation.

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)**.

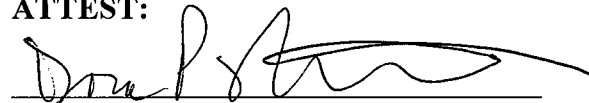
BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of Cherokee Nation, Chuck Hoskin Jr., and/or his authorized designee(s) be authorized to enter into the above described leasing, with the negotiated compensation with the appraisal and bond waived, in accordance with 25 CFR § 162 and the 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 22nd day of January, 2024, having 15 members present, constituting a quorum, by the vote of 14 yea; 0 nay; 1 abstaining.


Mike Shambaugh, Speaker
Council of the Cherokee Nation

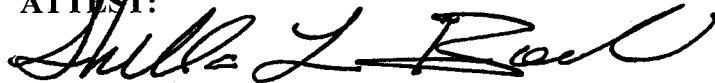
ATTEST:


Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 23rd day of January, 2024


Chuck Hoskin Jr., Principal Chief
Cherokee Nation

ATTEST:


Shella Bowlin, Secretary of State
Cherokee Nation

Administrative Clearance

Program/Project Manager

Signature/Initial _____ Date _____

Department Director:

Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Controller: (if Needed)

Signature/Initial _____ Date _____

Government Resources Dept:

Signature/Initial _____ Date _____

Administration Approval:

[Handwritten Signature] 1/3/24
Signature/Initial _____ Date _____

Legislative Clearance

Legislative Aide:

[Handwritten Signature] 1/3/24
Signature/Initial _____ Date _____

Standing Committee:

[Handwritten Signature]

1/16/24

Next Meeting Date

Chairperson:

[Handwritten Signature]
Signature/Initial _____ Date _____

Returned to Presenter:

1/16/24 11:05:57

Date

**Cherokee Nation
Act /Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Authorizing Cherokee Nation to lease Tribal Trust land for an Animal Shelter to Kenwood Animal Rescue.

DEPARTMENT CONTACT: JOEL BEAN

RESOLUTION PRESENTER: GINGER REEVES

SPONSOR: Mike Shambaugh, Dora Patzkowski, Victoria Vazquez, Melvina Shotpouch, EO Smith

NARRATIVE:

The request set forth in the attached resolution is for Cherokee Nation to lease Tribal Trust land to Kenwood Animal Rescue, for an Animal Shelter for a term of 10 years with a 10 year option to renew. Cherokee Nation also requests to waive the bond, appraisal and has determined that negotiated value and not having a compensation review is in the best interest of the tribe.

IF FURTHER INFORMATION IS NEEDED, PLEASE CONTACT GINGER REEVES, REAL ESTATE SERVICES EXECUTIVE DIRECTOR, EXT. 5675 OR JOEL BEAN, DIRECTOR, REAL ESTATE SERVICES, EXT. 3697