

RESOLUTION NO. 41-10

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING THE PLACEMENT OF LAND IN TRUST – CHILOCCO 2667.94 ACRES

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, Cherokee Nation owns a tract of land located in Kay County, Oklahoma, known as Chilocco, more particularly described as follows:

- Section 13** Lots 1, 2, 5, 6, and 7; SW4 NE4; W2 SE4; and the parts of SE4 NW4 and E2 SW4 and Lot 3 all lying East of the East right-of-way line of the Atchison, Topeka and Santa Fe Railroad, containing 339.53 acres;
- Section 16** Lots 3 and 4; S2 NW4 and SW4, containing 313.85 acres;
- Section 17** Lots 1 and 2 LESS AND EXCEPT that part described as Beginning at a point 39 rods South of the NE corner of the NE4 of said section; thence 24 rods South; thence 33 1/3 rods West; thence 24 rods North; thence 33 1/3 rods East to the Point of Beginning, containing 5 acres; Lots 5, 6 and 7; SE4 NE4 and E2 SE4, containing 313.62 acres;
- Section 20** Lots 1 and 2 and E2 NE4 LESS AND EXCEPT that part described as Beginning at a point 67 rods North of SE corner of the NE4 of said section; thence North 20 rods; thence West 50 rods; thence South 10 rods; thence East 20 rods; thence South 10 rods; thence East 30 rods to Point of Beginning, containing 5 acres; Lots 3 and 4 and E2 SE4, containing 316.36 acres;
- Section 21** Those parts of the NW4 and SW4 lying West of the West right-of-way line of the St. Louis & San Francisco Railroad, containing 150.26 acres;
- Section 24** Lots 1,2,3 and 4; W2 NE4; W2 SE4; and those parts of the E2 NW4 and SW4 lying East of the East right-of-way line of the Atchison, Topeka and Santa Fe Railroad, containing 398.39 acres;
- Section 25** Lots 1, 2, 3, 4, 5, 6 and 7; W2 NE4; NW4 SE4 and those parts of the NW4 and N2 SW4 lying East of the East right-of-way line of the Atchison, Topeka and Santa Fe Railroad, containing 583.25 acres;

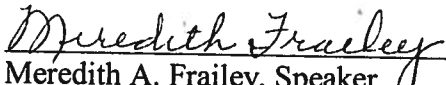
Section 26 That part of Lot 1 lying East of the East right-of-way line of the Atchison, Topeka and Santa Fe Railroad, containing 12.68 acres;
Section 29 N2 SE4 and NE4, containing 240.00 acres;
All in Township 29 North, Range 2 East, I.B.& M., Kay County, Oklahoma

WHEREAS, the Cherokee Nation desires to have said property placed United States of America in Trust for the Cherokee Nation. The property is vacant land adjoining Cherokee Nation Trust lands owned, for the second time, since 1968. The property, known as part of the Cherokee Outlet, was part of original treaty lands of Cherokee Nation as evidenced in the Cherokee Land Patent of 1838. Executive order of July 12, 1884 obligated the land be titled to United States of America for use as the Chilocco Indian Industrial School. In 1968, under Public Law 90-279, Cherokee Nation regained ownership, in fee status, of this part of the Chilocco Indian Industrial School lands at Chilocco, Oklahoma in the first phase of the end of operations of Chilocco Indian Industrial School. In 1986, Public Law 99-283, divested the United States of America of all the remaining Chilocco Indian Industrial School lands by dividing the lands between Cherokee Nation and the Pawnee, Ponca, Otoe-Missouria, Kaw and Tonkawa Tribes of Oklahoma in Trust status for each tribe. This last land transfer was in conjunction with the closing of Chilocco Indian Industrial School.


BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of the Cherokee Nation, Chadwick Smith, and/or his authorized designee(s) be authorized to request the Secretary of Interior to place said tract of land in Trust in accordance with Bureau of Indian Affairs policy and procedure for the acquisition of land.

CERTIFICATION

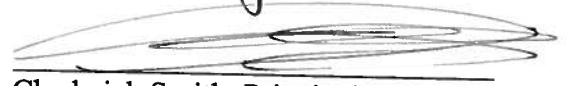
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 10th day of May, 2010, having 16 members present, constituting a quorum, by the vote of 16 yea; 0 nay; 0 abstaining.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation

ATTEST:



Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 10th day of May, 2010.



Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:



Melanie Knight, Secretary of State
Cherokee Nation

Cherokee Nation Act/Resolution Proposal Form

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:
Linda Donelson 3/29/2010
 Signature Date

Department Director:

 Signature Date

Group Leader:

 Signature Date

Finance Approval (if needed):

 Signature Date

Government Resources Group:

 Signature Date

Administration Approval:
M. Kelly 3/29/10
 Signature Date

Act Resolution

TITLE: Placement in Trust Chilocco lands

Department Contact: Linda Donelson

Resolution Presenter: Linda Donelson

Council Sponsor: Jack Baker

NARRATIVE:
(See Attached Outline for Information Needed)

The purpose of this resolution is authorization of a fee to trust acquisition application on lands owned by Cherokee Nation since 1968 in fee status at Chilocco in Kay County, Oklahoma. Converting these fee acres to trust acres will unify all of Cherokee Nation lands in Kay County, Oklahoma at the Chilocco site into Trust acres. Currently Cherokee Nation has 2667.94 fee acres and 1561.81 trust acres at Chilocco. The intent of the fee to trust application is to provide all acres at Chilocco are USA Trust for Cherokee Nation acres.

LEGISLATIVE CLEARANCE

Legislative Aide:
Brittain 3/29/2010
 Signature/Initial Date

Standing Committee:
Resource

4-12-2010

Next Meeting Date

Chairperson:
Snell
 Signature/Initial Date

Returned to Presenter: _____
 Date