



Council of the Cherokee Nation

Cherokee Nation Tribal Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Details (With Text)

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Title:	A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRIBAL TRUST LAND FOR AN ANIMAL SHELTER IN DELAWARE COUNTY TO KENWOOD ANIMAL RESCUE				
Sponsors:	Mike Shambaugh, Melvina Shotpouch, E. O. "JR." Smith, Victoria Vazquez, Dora Patzkowski				
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Date	Ver.	Action By	Action	Result
1/24/2024	1	OFFICE OF THE CHIEF	Signed	
1/22/2024	1	TRIBAL COUNCIL	Approved	Pass
1/22/2024	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

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.