



Council of the Cherokee Nation

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

Legislation Text

File #: 12-119, Version: 1

A RESOLUTION AUTHORIZING CHEROKEE NATION TO TRANSFER TITLE TO ONE ACRE TO CHEROKEE COUNTY COMMISSIONERS

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, under an Action of Congress approved July 1, 1902 (32 Stat. L. 716) agreement ratified by the Cherokee Nation August 7, 1902, it was provided that one acre of land would be reserved for each church house outside of towns, and that the acre so reserved for such church in any quarter section of land would be located where practicable in a corner of such quarter section, adjacent to the section line thereof, and further by Act of Congress approved April 26, 1906 (34 Stat. L. 137), that the land in the Cherokee Nation reserved from allotment or sale under any act of Congress for the use or benefit of any person, corporation or organization shall be conveyed to such person, corporation or organization entitled thereto; provided, that if any tract or parcel thus reserved shall before conveyance thereof be abandoned for the use for which it was preserved by the party whose interest in the reservation was made, such tract or parcel shall revert to the Tribe and be disposed of as other surplus lands thereof.

WHEREAS, the land hereinafter described was reserved for the Mount Zion Union Church, and was not conveyed by the Cherokee Nation to said church, and this remains as unallotted land considered trust land. The said tract or parcel so reserved has been abandoned from the use for which such reservation was made:

Beginning at the corner of Section 27, 28, 33 and 34 of Township 17 North, Range 21 East, thence North 2.50 chains, thence West 4 chains, thence South 2.50 chains, thence East 4 chains to the point of beginning, lying in Section 28, Township 17 North, Range 21 East of the Indian Base and Meridian in the State of Oklahoma, containing 1 acre,

and;

WHEREAS, the said Mount Zion Union Church by and through its Trustees on October 1, 1915, conveyed said tract to School District No. 22 of Cherokee County (Hulbert District), State of Oklahoma, which School District is no longer in existence, and was subject to the reversionary clause; and

WHEREAS, the church and school buildings are in such dilapidated condition that they create a hazardous condition to citizens in the area as well as persons visiting the cemetery area; and

WHEREAS, the County Commissioners of Cherokee County has requested that the one acre tract be donated and conveyed to the County Commissioners of Cherokee County for the purpose of demolishing the buildings, cleaning up the site, and for needed expansion of the cemetery (Cemetery Patent No. 166);

BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief, Bill John Baker, and/or his authority designee (s) be authorized to donate and convey the above described church/school site to the County Commissioners of Cherokee County, Oklahoma, for the purpose of cemetery expansion, with the Cherokee Nation retaining a reversionary interest in the property should the County Commissioners of Cherokee County fail to utilize the property for cemetery purposes and abandon the property.