



Council of the Cherokee Nation

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

Legislation Text

File #: 08-027, Version: 1

A RESOLUTION AUTHORIZING APPROVAL OF LAND ASSIGNMENT TO TIBBS FAMILY TRUST FOR ONE ACRE, KNOWN AS SUNSET GARDENS (TIBBS) CEMETERY, AND QUIT CLAIM DEED TO RECORD OWNERS OF PROPERTY NOT CONTAINING THE CEMETERY

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government on 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 Real Estate Services has received a request for a quit claim deed to record owners of certain property that was originally allotted to Effie A. Tibbs, Roll No. 3369, on August 14, 1912, wherein one acre of land was reserved for cemetery, known as Sunset Gardens (Tibbs) Cemetery, within a 20-acre tract in Section 33, Township 21 North, Range 24 East, in Delaware County, Oklahoma, and said cemetery was not specifically described in the allotment deed;

WHEREAS, a quit claim deed of 18 acres, which does not contain the cemetery reserved by the Cherokee Nation, would clear the title to the current landowners, (one of whom, Marvin Arnold, is a tribal citizen);

WHEREAS, Judy Gamble, a tribal citizen and Trustee of the Tibbs Family Trust, had the property surveyed and the Tibbs Family Trust holds ownership of the 1.4 acres adjoining the acre reserved by the Cherokee Nation for cemetery purposes. This 2.4 acre area has been determined to contain the cemetery, and Ms. Gamble, as Trustee of the Tibbs Family Trust, desires a land assignment on the one acre cemetery tract for 99 years, in exchange for the Trust caring for and maintaining the cemetery; said property having been examined by Cherokee Nation personnel through ground penetrating radar equipment to establish that the cemetery is indeed within the boundaries of this 2.4 acre tract.

BE IT RESOLVED BY THE CHEROKEE NATION, that approval be granted for the conveyance of a quit claim deed be given on the property to record owners, which property does not contain the cemetery, that Tibbs Family Trust be granted a land assignment for the cemetery known as Sunset Gardens (Tibbs) Cemetery and authorizing the Trust to have the use of the land for cemetery purposes and to care for and maintain the property, that the person(s) authorized to sign required documents necessary to execute said quit claim deed and land assignment be Chadwick Smith, Principal Chief of the Cherokee Nation, and/or his authorized designee(s).