



Council of the Cherokee Nation

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

Legislation Details (With Text)

File #: 16-112 **Version:** 2 **Name:** N/A
Type: Resolution **Status:** Tabled in Committee
File created: 11/2/2016 **In control:** TRIBAL COUNCIL
On agenda: 11/14/2016 **Final action:**
Enactment date: **Enactment #:**
Title: A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE 190 ACRES OF USA IN TRUST LAND TO RGB REALTY LIMITED D/B/A HUNT MILL HOLLOW RANCH, LLC
Sponsors: Curtis Snell
Indexes: Lease, Trust Land
Code sections: N/A - Not Applicable
Attachments:

Date	Ver.	Action By	Action	Result
1/16/2017	2	RESOURCE COMMITTEE	Approved and Forwarded to Council	Fail
12/12/2016	1	RESOURCE COMMITTEE	Tabled	Pass
11/14/2016	1	RESOURCE COMMITTEE	Tabled	Pass

A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE 190 ACRES OF USA IN TRUST LAND TO RGB REALTY LIMITED D/B/A HUNT MILL HOLLOW RANCH, LLC

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 Cherokee Nation has set aside 190 acres of Trust lands in Adair County to be leased to RGB Realty Limited d/b/a Hunt Mill Hollow Ranch, LLC for business purposes, Cherokee Nation is leasing the property to clear up an ongoing trespass with RGB Realty Limited d/b/a Hunt Mill Hollow Ranch, LLC;

WHEREAS, the terms for the lease are as follows: a twenty-five (25) year lease beginning on the date of approval by the Bureau of Indian Affairs; Cherokee Nation will receive 145.10 acres of land in fee simple title for payment of said lease. An additional one time lump sum payment in the amount of \$5,700.00 will be paid by RGB Realty Limited d/b/a Hunt Mill Hollow Ranch, LLC for trespass damages to cover the years of 2014, 2015 & 2016;

WHEREAS, Cherokee Nation Real Estate Services requests that the appraisal and bond be waived according to regulations pursuant to 25 CFR 162 and by tribal council resolution;

WHEREAS, the Cherokee Nation requests a Waiver of Valuation pursuant to Title 25 CFR § 162.420(a). Cherokee Nation has determined that:

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 tribe.

WHEREAS, the Cherokee Nation requests Waiver of Bond pursuant to Title 25 CFR § 162.43(g). Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe.

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, Bill John Baker, and/or his authorized designee(s) be authorized to enter into the above described leasing, with the appraisal and bond being waived, in accordance with Bureau of Indian Affairs policy and procedure for the leasing of land owned by United States of America in Trust for Cherokee Nation.