



Council of the Cherokee Nation

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

Legislation Text

File #: 19-029, Version: 1

A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRIBAL TRUST LAND TO THE CHERRY TREE RURAL WATER DISTRICT, INC., CONTAINING 0.75 ACRES M/L

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 Cherry Tree Rural Water District wishes to lease the 0.75 acre tract for a term of five (5) years, with an option to renew for an additional five (5) year term. A tract of land being part of the SE NE NE of Section 23, Township 15 North, Range 24 East, more particularly described as follows: Beginning as a point 830.00 feet South and S54°55'W 282.84 feet of the NE corner of the NE¼ of Sec. 23, T. 15N, R. 24E.; thence South 200.00 feet; thence West 300.00 feet; thence North 55.00 feet to the county road; thence N81°45'E 117.49 feet; thence N70°55'E 91.70 feet; thence N44°40'E 138.05 feet to the P.O.B., containing 0.75 acres more or less and will be leased for \$100.00 per year;

WHEREAS, The Cherokee Nation requests a Waiver of Valuation pursuant to *Title 25 CFR §162.420(a)* the 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 a Waiver of Bond pursuant to *Title 25 CFR §162.434(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 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.