



Legislation Text

File #: 23-007, Version: 1

A RESOLUTION AUTHORIZING A LIMITED CONSENT TO SUIT FOR THE PURCHASE OF PROPERTY FROM THE OKLAHOMA HISTORICAL SOCIETY

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people; and

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with an historic and continual government to government relationship with the United States of America; and

WHEREAS, the Nation is immune from suit under federal, state and tribal law; and

WHEREAS, the Nation has inherent sovereign power by virtue of its constitution and tribal law to enter into contractual agreements and execute such consents to suit as may be necessary for such agreements; and

WHEREAS, the Nation cannot be sued unless the Council of the Cherokee Nation expressly consents to such suit; and

WHEREAS, Cherokee Nation wishes to purchase the Will Rogers Birthplace historic property in Oologah, Oklahoma, consisting of approximately 162 acres of real property and specifically including all improvements thereon, from the Oklahoma Historical Society; and

WHEREAS, the proposed Real Estate Sale Contract contains provisions that would allow the Nation to be sued consistent with the following limitations in scope: the suit can relate only to the Will Rogers birthplace property and the Nation's obligations under the Contract.

BE IT RESOLVED BY THE CHEROKEE NATION, that the Council of the Cherokee Nation hereby authorizes the Principal Chief and/ or his designee to execute all documents necessary for the Cherokee Nation to purchase such real property from the Oklahoma Historical Society, specifically including a limited consent to suit.