

NINTH LEGISLATURE
OF THE
CHEYENNE AND ARAPAHO TRIBES
Special Session
July 21, 2022
LCR, Concho, OK

RESOLUTION: A Resolution to Amend Resolution 7L-SS-2018-0605-002 – Authorize the Governor of the Cheyenne and Arapaho Tribes to Submit an Application to the Bureau of Indian Affairs to Place Title to the 93.433 Acre El Reno Tract in Canadian County, Oklahoma into Trust.

RESOLUTION NO: 9L-SS-2022-0721-005
DATE INTRODUCED: July 14, 2022
SPONSOR: Travis Ruiz. Arapaho District 3
CO-SPONSOR: Bruce Whiteman, Jr. Cheyenne District 1

LEGISLATIVE HISTORY:

[NOTE: Except as otherwise noted, the provisions of this Resolution, was enacted into Law by the Ninth Legislature of the Cheyenne and Arapaho Tribes in the Special Session, by a roll call vote on July 21, 2022 by Resolution No. 9L-SS-2022-0721-005].

[NOTE: Except as otherwise noted, the provisions of this Resolution, was enacted into Law by the Seventh Legislature of the Cheyenne and Arapaho Tribes in the 5th Special Session, by a roll call vote on June 5, 2018 by Resolution No. 7L-SS-2018-0605-002].

SUBJECT: A Resolution to Amend Resolution 7L-SS-2018-0605-002 – Authorize the Governor of the Cheyenne and Arapaho Tribes to Submit an Application to the Bureau of Indian Affairs to Place Title to the 93.433 Acre El Reno Tract in Canadian County, Oklahoma into Trust.

WHEREAS: The Cheyenne and Arapaho Tribes (“Tribes”) are federally recognized Indian tribes, organized under a Constitution approved by Tribal membership on April 4, 2006, and approved by the Secretary of the Interior; and

WHEREAS: Article VI, Section 5(a) and (c) in the Constitution provides that “Legislative power shall be vested in the Legislature” and “the Legislature shall have the power to make laws and resolutions in accordance with the Constitution which are necessary and proper for the good of the Tribes;” and

WHEREAS: Article VI, Section 7(a)(i) in the Constitution provides that “All Bills shall include a statement identifying the specific law, if any, to be superceded, repealed, or amended.” and

WHEREAS: This Resolution shall repeal, and replace Resolution 7L-SS-2018-0605-002 that previously Authorized the Governor of the Cheyenne and Arapaho Tribes to submit an application to the Bureau of Indian Affairs to place title to the 91.88 El Reno Tract in Canadian County, Oklahoma into Trust; and

WHEREAS: Article VII, Section 4(d) provides the Governor with “the power to negotiate and sign a contract, other than a gaming management contract, which has been previously authorized by the Tribal Council or Legislature;” and

WHEREAS: The Secretary of the United States Department of the Interior is authorized to take land into trust for the benefit of Indian tribes in accordance with the Indian Reorganization Act, 25 U.S.C. § 465 (“IRA”), the Oklahoma Indian Welfare Act, 25 U.S.C § 501 (“OIWA”), and implementing federal regulations at 25 C.F.R. Part 151; and

WHEREAS: The Tribes desire to place title to the following described 93.433-acre tract of land in the city of El Reno, Canadian County, Oklahoma (“El Reno Tract”), in the name of the United States in trust for this benefit of the Tribes;

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY (20), TOWNSHIP TWELVE (12) NORTH, RANGE SEVEN (7) WEST OF THE INDIAN MERIDIAN, CANADIAN COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 3/8” IRON PIN MARKING THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW/4), THENCE NORTH 00°10’37” WEST ALONG THE WESTERLY LINE OF SAID SECTION 20 FOR 342.27 FEET; THENCE SOUTH 89°45’55” EAST FOR 40.00 FEET; THENCE NORTH 00°10’37” WEST PARALLEL WITH AND 40 FEET EASTERLY OF THE WESTERLY LINE OF SAID SECTION 20 FOR 595.91 FEET TO A POINT ON THE SOUTHERLY LINE OF QUIT CLAIM DEED FILED IN BOOK 1820 AT PAGE 729 IN THE OFFICE OF THE CANADIAN COUNTY CLERK; THENCE NORTH 89°49’23” EAST ALONG SAID SOUTHERLY LINE FOR 455.00 FEET TO THE SOUTHEAST CORNER OF SAID QUIT CLAIM DEED; THENCE NORTH 00°10’37” WEST ALONG EASTERLY LINE OF SAID QUIT CLAIM DEED FOR 355.17 FEET TO A POINT ON THE SOUTHERLY LINE OF LESS AND EXCEPT NO. 6 IN LEGAL DESCRIPTION FILED IN BOOK 1597 AT PAGE 477 IN THE OFFICE OF THE CANADIAN COUNTY CLERK; THENCE SOUTH 89°46’25” EAST ALONG SAID SOUTHERLY LINE FOR 0.40 FEET TO THE SOUTHEAST CORNER OF SAID LESS AND EXCEPT TRACT; THENCE NORTH 00°11’15” WEST ALONG THE EASTERLY LINE OF SAID LESS AN EXCEPT TRACT FOR 820.62 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 40, SAID BEING A POINT OF NON-TANGENT CURVE; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND ALONG CURVE TO RIGHT WITH A RADIUS OF 1342.40 FEET, A CENTRAL ANGLE OF 18°15’09” A CHORD BEARING OF SOUTH 78°47’04” EAST, A CENTRAL ANGLE OF 18°15’09” A CHORD BEARING OF SOUTH 78°47’04” EAST, A CHORD DISTANCE OF 425.84 FEET FOR AN ARC LENGTH OF 427.65 FEET TO A POINT OF COMPOUND CURVE; THENCE CONTINUING ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID INTERSTATE 40 ALONG A CURVE OF THE RIGHT WITH A RADIUS OF 2774.49 FEET, A

CENTRAL ANGLE OF 03°27'12", A CHORD BEARING OF SOUTH 67° 55'54" EAST, A CHORD DISTANCE OF 167.19 FEET FOR AN ARC LENGTH OF 167.22 FEET; THENCE CONTINUING ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID INTERSTATE 40, SOUTH 65°06'00" EAST FOR 1602.26 FEET TO A POINT ON THE EASTERLY LINE OF THE NW/4, OF SAID SECTION 20; THENCE SOUTH 00°03'52" EAST ALONG SAID EASTERLY LINE FOR 1215.84 FEET TO THE SOUTHEAST CORNER OF SAID NW/4, SAID CORNER BEING MARKED BY A 1/2' IRON PIN; THENCE NORTH 89°46'57" WEST ALONG THE SOUTHERLY LINE OF SAID NW/4 FOR 2641.53 FEET TO THE SOUTHWEST CORNER OF SAID NW/4 AND POINT OF BEGINNING OF SAID TRACT OF LAND, LESS AND EXCEPT:

A TRACT OF LAND THAT IS A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY (20), TOWNSHIP TWELVE (12) NORTH, RANGE SEVEN (7) WEST OF THE INDIAN BASE AND MERIDIAN, CANADIAN COUNTY, STATE OF OKLAHOMA ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 3/8' IRON PIN MARKING THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE NORTH 0°10'37" WEST ALONG THE WEST LINE OF SAID SECTION 20 FOR 1318.52, SAID POINT BEING 1314.73 FEET SOUTHERLY OF NORTHWEST CORNER OF SAID SECTION 20; THENCE NORTH 89°49'23" EAST FOR 1659.36 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 24°54'00" EAST FOR 209.00 FEET; THENCE SOUTH 65°06'00" EAST FOR 209.00 FEET; THENCE SOUTH 24°54'00" WEST FOR 209.00 FEET; THENCE NORTH 65°06'00" WEST FOR 209.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; and

- WHEREAS:** In 2008, Rosalie E. McLaren, Trustee of the Rosalie E. McLaren Revocable Living Trust, deeded fee title to the El Reno Tract to the Cheyenne & Arapaho Tribes; and
- WHEREAS:** The El Reno Tract is unimproved land not in use, is located within the Tribes' former reservation boundaries, is owned in fee free and clear by the Tribes, and is not subject to any contractual obligations regarding its use; and
- WHEREAS:** The Tribes need the trust acquisition to expand the Tribes' trust land base within the Tribes' jurisdiction and to enhance tribal self-determination for future generations of tribal members; and
- WHEREAS:** The Tribes, which have no immediate specific plans for use of the El Reno Tract, intend to use it to expand the Tribes' trust land base within an economic advantages viable community in the Tribes' jurisdiction; to enjoy tribal economic advantages established by Congress, such as the HEARTH Act; to provide services, benefits, and employment to the Tribes' members; and to realize true self-determination for future generations of tribal members; and to one day develop businesses to earn profits, employ tribal members, and realize true self-determination for future generations of tribal members; and

WHEREAS: The Tribes are preparing a trust application so that title to the El Reno Tract may be taken by the United States in trust for the Tribes, in order to facilitate the Tribes' intended use of the Tract; and

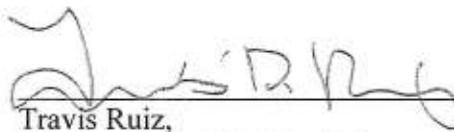
WHEREAS: It is in the interest of the general welfare of the Tribes to obtain approval for placement of the El Reno Tract into trust for the benefit of the Tribes, and the Tribes' Legislature is authorized to request such approval in accordance with the Tribes' Constitution, the IRA, and implementing federal regulations.

NOW THEREFORE BE IT RESOLVED, that the Ninth Legislature of the Cheyenne and Arapaho Tribes, pursuant to Article VII, Section 4(d) of the Tribal Constitution does hereby request that the Secretary of the Interior, or his or her designee, take the El Reno Tract in the name of the United States in trust for the benefit of the Tribes, pursuant to the Indian Reorganization Act, 25 U.S.C. § 465, and implementing federal regulations.

BE IT FURTHER RESOLVED, that the Governor is authorized to act on behalf of the Tribes to direct and oversee the preparation, submission, and completion of a trust application on behalf of the Tribes and to perform all other executive acts necessary to complete the process for placing the El Reno Tract into trust in the name of the United States for the benefit of the Tribes, including without limitation authorizing purchase of any necessary surveys, appraisals, abstracts, title insurance, environmental reviews or other necessary services and reports to be funded out of Tax Commission.

BE IT FURTHER RESOLVED, that the Governor is further authorized to submit said trust application to the Bureau of Indian Affairs on behalf of the Tribes and to act on behalf of the Tribes to execute all documents, to include but not limited to procuring surveys, environmental assessments, title commitments & policies, appraisals, and filing fees needed for the submission of said trust application.

NOW THEREFORE BE IT FINALLY RESOLVED, that this Resolution hereby supersedes, repeals, and replaces any prior Resolutions concerning the placement of the El Reno Tract into trust for the benefit of the Tribes.



Travis Ruiz,
Speaker of the Ninth Legislature
Cheyenne and Arapaho Tribes



ATTEST:

I, Jodi White Buffalo, Legislative Clerk, hereby certify that the foregoing is a True and Accurate Copy of the Original Bill No. 9L-SS-2022-0721-005 which was acted upon by the Legislature of the Cheyenne and Arapaho Tribes in the Ninth Legislature Special Session, by a roll call vote on the 21st day of July 2022, by a vote.

VOTE RECORD:

DISTRICT	LEGISLATOR	YES	NO	ABSTAIN	ABSENT
A1	Diane Willis	✓			
A2	Kendricks Sleeper	✓			
A3	Travis Ruiz	✓			
A4	Rector Candy	✓			
C1	Bruce Whiteman	✓			
C2	George Woods	✓			
C3	Darrell Flyingman	✓			
C4	Byron Byrd	✓			
TOTAL		8			
Passes (X) Fails () Tabled () Allowed to Die () No Action ()					

Jodi White Buffalo

Jodi White Buffalo, Legislative Clerk
Ninth Legislature, Cheyenne and Arapaho Tribes



ATTEST:

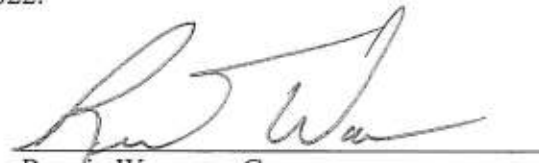
Pursuant to Article VI, Section 7, subsection (a)(iv) of the Tribes Constitution reads in part: "All Bills passed by the Legislature shall be presented to the Governor for signature or veto. All laws shall take effect thirty days after signature by the Governor or veto override by the Legislature unless any Member of the Tribes submits to the Coordinator of the Office of Tribal Council a petition signed by at least one hundred fifty Members of the Tribal Council seeking to repeal the law or resolution at the next Tribal Council meeting. If the Tribal Council fails to repeal such law or resolution at the next Tribal Council where the matter has been properly placed on the agenda for the Tribal Council meeting, such law or resolution shall become effective immediately."

Pursuant to Article VII, Section 4, subsection (g) of the Tribes Constitution reads: "The Governor shall have the power to sign any enactment passed by the Legislature into law or to veto any enactment passed by the Legislature within ten (10) days of passage with a written explanation of any objections; and if the Governor takes no action within ten (10) days, then the enactment shall become law in accordance with this Constitution."

APPROVED

VETOED: Attachment ____; Governor's written explanation of any objections.

On the 2nd day of July, 2022.



Reggie Wassana, Governor
Cheyenne and Arapaho Tribes



TRANSMITTAL OF DOCUMENTS:

From the Legislative Branch to the Office of Records Management

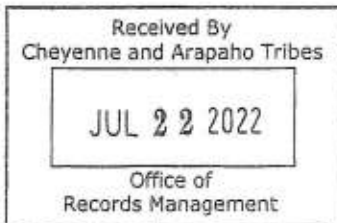
ATTEST:

Pursuant to Article VI, Section 7, subsection (a)(v), of the Tribes Constitution reads, "The Office of Records Management shall compile all Laws and Resolutions into a comprehensive Code in an orderly manner that shall be published annually."

Office of Records Management Staff, hereby certify that the foregoing is a True and Accurate Original Resolution No. 9L-SS-2022-0721-005.

Space below is reserved for Stamp:

Received (Date) Office of Record Management



Signature: Cheryl Blind

Print Name: Cheryl Blind

Title: Director Orem

Date: 7/22/2022

Office of Records Management
Department of Administration, Executive Branch
Cheyenne and Arapaho Tribes

