

NINTH LEGISLATURE
OF THE
CHEYENNE AND ARAPAHO TRIBES
SPECIAL SESSION
SEPTEMBER 29, 2022
LCR, CONCHO, OK

RESOLUTION: A Resolution to Amend Resolution # 8L-SS-2021-1104-003 - Authorize the Governor to Submit an Application to the Bureau of Indian Affairs to Place Title to the 79.21-Acre Tract in Woodward, Oklahoma, in the Name of the United States in Trust for the Benefit of the Cheyenne and Arapaho Tribes, and to Repeal, Supersede, and Replace All Prior Resolutions Concerning Trust Applications for Said Tract.

RESOLUTION NO: 9L-SS-2022-0929-011
DATE INTRODUCED: September 22, 2022
SPONSOR: Travis Ruiz, Arapaho District 3
CO-SPONSOR: Bruce Whiteman Jr., Cheyenne District 1

SUBJECT: A Resolution to Amend Resolution # 8L-SS-2021-1104-003 - Authorize the Governor to Submit an Application to the Bureau of Indian Affairs to Place Title to a 79.21 Acre Tract in Woodward, Oklahoma, in the Name of the United States in Trust for the Benefit of the Cheyenne and Arapaho Tribes, and to Repeal, Supersede, and Replace All Prior Resolutions Concerning Trust Applications for Said Tract.

WHEREAS: The Cheyenne and Arapaho Tribes are a federally recognized Indian tribe organized pursuant to 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 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 tract of land in the City of Woodward, Woodward County, Oklahoma ("Woodward Tract"), in the name of the United States in trust for the benefit of the Tribes:

All that certain real property situated in the Southwest one-quarter (SW/4) of Section Fifteen (15), Township Twenty-Two (22) North, Range Twenty (20) West of the Indian Meridian (W.I.M.), located in the County of Woodward, State of Oklahoma and further described as follows:

The SW/4 of said Section 15 lying North of that perpetual easement to the State of Oklahoma as described in Book 41 at Page 275 dated the 25th Day of September, 1933.

Additionally being described by Metes and Bounds as follows:

BEGINNING at a found ½" Rod with red cap "OLS 128" Cap 5" deep accepted for the West One-Quarter corner (W/4) of said Section 15;

Thence, North 88°19'16" East on the East-West One-Quarter Section line a distance of 2654.70 to a found ½" Iron Rod with cap stamped CA2064 accepted for the Center Quarter (C/4) of said section 15;

Thence, South 00°22'24" East on the North-South One-Quarter Section line, at 2051.09 feet passing a set 3/8"x18" rebar with Cap Stamp CA8035 on the present North right of way line of State Highway 270/183, continuing on said One-Quarter Section line for a total distance of distance of 2120.10 feet to a point on the North line of that perpetual easement to the State of Oklahoma as described in Book 41 at Page 275 dated the 25th day of September, 1933;

Thence, on the North line of said perpetual easement the following three courses:

- 1.) North 59°53'20" West a distance of 2141.57 feet to an angle point;
- 2.) North 30°06'40" East a distance of 25.00 feet to an angle point;
- 3.) North 59°53'20" West a distance of 956.02 feet to Point on the West line of said Section 15;

Thence, on the West line of said Section 15 North 00°02'27" West, at 158.80 feet passing a set 3/8"x18" rebar with Cap Stamp CA8035 on the present North right of way line of State Highway, continuing on said Section line a total of 466.66 feet to the Point of Beginning containing 79.21 acres as surveyed.

The basis of bearings for this description is True North as evidenced by measuring between a found 3/8" iron pin with Cap Stamped OSL 128 3 inches deep accepted for the Southwest Corner (SWc) of said Section 15 and a found ½" iron rod with red "OLS" Cap 5" deep accepted for the Quarter common to Section 15 and 16, bearing being North 00°02'27" West between said found monuments.

Distances shown here on are grid distances.

End of description.

WHEREAS: In 2018 and 2019, the Tribe used monies from its general fund and acquired fee title to the Woodward Tract from the Grunewald Family, L.L.C and James & Wanda Slattery.; and

WHEREAS: The Woodward Tract is improved land on which an Emergency Response Center (ERC) is located and used for the benefit of the Cheyenne and Arapaho Tribes' members, is located approximately 37 miles North of the Tribes' most southern reservation boundaries, is owned in fee free and clear by the Tribes, is not subject to any contractual obligations regarding its use, and is not subject to any easements or rights-of-way that would interfere with the Tribe's utilization of the Tract; and

WHEREAS: The Tribes need the trust acquisition to expand the Tribes' trust land base 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 Woodward Tract, intend to use it for non-gaming purposes, to expand the Tribes' trust land base within communities where a large number of tribal members reside; to provide services, benefits, and employment to the Tribes' members; and to realize true self-determination for future generations of tribal members; and

WHEREAS: It is in the interest of the general welfare of the Tribes to obtain approval for placement of the Woodward 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, the OIWA and implementing federal regulations at 25 C.F.R. Part 151.

NOW THEREFORE BE IT RESOLVED, that the Ninth Legislature of the Cheyenne and Arapaho Tribes hereby request that the Secretary of the Interior or his or her designee take the Woodward 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, Oklahoma Indian Welfare Act 25 U.S.C § 501 and implementing federal regulations at 25 C.F.R. Part 151.

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 Woodward 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.

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 needed for the submission of said trust application.



Travis Ruiz, Speaker
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-2022-0929-011 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 29th day of September 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 Jr.	✓			
C2	George Woods	✓			
C3	Darrell Flyingman				✓
C4	Byron Byrd	✓			
TOTAL		5			3
Passes (X) Fails () Tabled () Allowed to Die () No Action ()					


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."

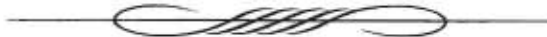
{ } APPROVED

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

On the 29th day of September, 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-2022-0929-011.

Space below is reserved for Stamp:

Received (Date) Office of Record Management



Signature: *A. Ortega*
Print Name: Anianne Ortega
Title: Records Clerk I
Date: 9/30/22

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

