

# CITIZEN POTAWATOMI NATION



RESOLUTION # 08-01

## **A RESOLUTION APPROVING A FEE-TO-TRUST ACQUISITION APPLICATION TO THE BUREAU OF INDIAN AFFAIRS AND REQUEST FOR TRUST ACQUISITION OF THE (NON-GAMING / ON RESERVATION) GIVERNEY 27 WEST PROPERTY**

**WHEREAS,** the Citizen Potawatomi Nation is a federally recognized Tribe of American Indians with Constitutional authority under the Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967); and

**WHEREAS,** the Citizen Potawatomi Nation has sovereign powers that are inherent in Tribal tradition, derived from a history of organized self-government since time immemorial, and recognized by treaties with the United States and in the Constitution of the United States; and

**WHEREAS,** Article 7, Section 2 of the Citizen Potawatomi Nation Constitution provides for a separation of powers of the Tribal government by the reservation and delegation of specific powers to other entities of the Tribal government; and, except for these specific limitations, all other general powers of government are embodied in the Business Committee's authority "to enact legislation, transact business, and otherwise speak and act on behalf of the Citizen Potawatomi Nation in all matters on which the Nation is empowered to act now or in the future"; and

**WHEREAS,** the Citizen Potawatomi Nation is making application to the Southern Plains Regional Office of the Bureau of Indian Affairs to request transfer of "fee-simple" title to the "United States of America in Trust for the Citizen Potawatomi Nation"; and

**WHEREAS,** Section 5 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 985; 25 USC 465) provides authority for the Fee-to-Trust acquisition; and

**WHEREAS,** the Giverney 27 West Property is ON-reservation or within the former reservation boundaries of the Citizen Potawatomi Nation and legally described in Attachment A; and



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**WHEREAS,** the property was purchased with tribal enterprise profits for NON-gaming or gaming-related use; and

**WHEREAS,** the Business Committee believes that increasing the tribal land base furthers the pursuit of Tribal Self Determination and allows future generations of tribal leaders to have the flexibility to use the land for the health, welfare, and sovereignty of the Citizen Potawatomi Nation; and

**WHEREAS,** the Citizen Potawatomi Nation owns the surface rights to the property in fee simple; and

**WHEREAS,** the land is currently not under lease; and

**WHEREAS,** the land has ingress and egress and is adequate for traffic and services; and

**WHEREAS,** the current and proposed land use is agriculture and site for additional health services; and

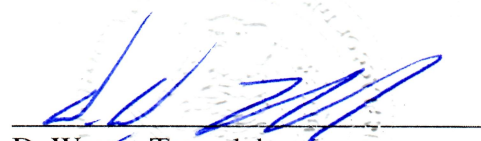
**WHEREAS,** the Office of Vice-Chairman is authorized to execute conveyance documents on behalf of the Citizen Potawatomi Nation and the Office of Self Governance is authorized to represent the Citizen Potawatomi Nation in processing the fee-to-trust casework.

**NOW, THEREFORE BE IT RESOLVED BY THE BUSINESS COMMITTEE OF THE CITIZEN POTAWATOMI NATION,** that a resolution supporting the Fee-to-Trust acquisition application to the Southern Plains Regional Office of the Bureau of Indian Affairs and trust acquisition of the Giverney 27 West Property **IS HEREBY APPROVED.**

## CERTIFICATION

We, the undersigned members of the Business Committee of the Citizen Potawatomi Nation do hereby certify that the above is a true and exact copy of Resolution POTT # 08-01, as approved on the 2<sup>nd</sup> day of August 2007 with 13 voting for, 0 opposed 2 absent or abstaining.

  
John A. Barrett  
Chairman

  
D. Wayne Trousdale  
Secretary-Treasurer