

Cherokee Nation Code Annotated

Title 18: Corporations

Chapter 2: Cherokee Nation Limited Liability Company Act

Article 2: Organization

§ 216. Articles of organization—Execution

Cite as: 18 CNCA § 216

A. Articles required by this chapter to be filed with the Office of the Principal Chief shall be executed in the following manner:

1. Articles of organization must be signed by at least one (1) person who need not be a member of the limited liability company; and

2. Articles of amendment, merger, or dissolution must be signed by a manager.

B. Any person may sign any articles by an attorney in fact. Powers of attorney relating to the signing of articles by an attorney in fact need not be sworn to, verified or acknowledged, and need not be filed with the Office of the Principal Chief.

C. The execution of any articles under this chapter constitutes an affirmation under the penalties of perjury that the facts stated therein are true.

D. Any signature on any instrument authorized to be filed with the Office of the Principal Chief under this act may be a facsimile.

E. A record accepted for filing by the Office of the Principal Chief is effective:

1. at the time of filing on the date it is filed, as evidenced by the Office of the Principal Chief's date and time endorsement on the original record; or

2. at the time specified in the record as its effective time on the date it is filed.

F. A record may specify a delayed effective time and date, and if it does so the record becomes effective at the time and date specified. If a delayed effective date but no time is specified, the record is effective at the close of business on that date. If a delayed effective date is later than the ninetieth (90th) day after the record is filed, the record is effective on the ninetieth (90th) day.

Historical Data

LA 32-04, eff. July 16, 2004.