**Cherokee Nation Code Annotated**
**Title 64: Public Lands**
**Chapter 2: Real Property Acquisition**
**§ 54. Real property acquisitions**
Cite as: 64 CNCA § 54

A. Acquisitions of real property utilizing Nation funds or funds directed by the Nation should be prioritized utilizing the following criteria, which are listed in no particular order:

1. Building sustainable communities (housing potential, community facilities, infrastructure built, supports community economy/jobs or local businesses, etc.);

2. Historic or cultural significance to Cherokee Nation;

3. Economic development potential;

4. Consistency with Land Consolidation Plan, as amended, or Strategic Land Plan, including acquisitions that are adjoining or adjacent to existing tribal lands;

5. Sustainability without ongoing financial support, and/or cost/benefit analysis;

6. Involvement of community in planning for the real property acquisition;

7. Real property located in the Arkansas Riverbed Settlement "mandatory trust acquisition" area, or acquisitions of individual trust or restricted lands.

B. All real property acquisitions or acceptances should meet the following due diligence steps:

1. All tracts require a formal or informal ASTM 1527 (American Society for Testing Material);

2. A review to ensure no back property tax is owed;

3. Funds have been identified for acquisition cost and any related cost, i.e., future property tax payments until taken into trust status, property upkeep and maintenance, remodeling, utilities, etc.;

4. The property has a clear title;

5. A review to determine whether the property is in another tribal jurisdiction and if so, whether an agreement between the Nation and the other tribe is necessary.

C. The Principal Chief will designate the Group to coordinate real property acquisitions, and will develop policies and procedures to implement this act, which will include roles and responsibilities to process acquisitions of real property by Cherokee Nation.

Historical Data

LA 07–05, eff. March 16, 2005.