

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

RESOLUTION TO ESTABLISH GUIDELINES GOVERNING THE EXCHANGE OF
LAND OWNED BY THE OGLALA SIOUX TRIBE WITH ITS INDIVIDUAL MEMBERS.

WHEREAS, the Oglala Sioux Tribe and its authorized agency
or agencies are in need of guidelines to govern exchanges of land
owned by the Oglala Sioux Tribe at the present and in the future,
and

WHEREAS, the Oglala Sioux Tribe has authority under its
Constitution to manage and preserve its land base, now

THEREFORE BE IT RESOLVED, that the Oglala Sioux Tribal Council,
hereby adopts the following guidelines governing the exchange of
land owned by the Oglala Sioux Tribe with its individual members:

LAND EXCHANGE REGULATIONS

Section 1. The provisions herein shall govern the Oglala
Sioux Tribal Council, the Oglala Sioux Executive Committee, or
any other duly authorized entity of the Oglala Sioux Tribe in
considering applications for land exchanges with the Oglala Sioux
Tribe.

Section 2. It shall be the policy of the Oglala Sioux Tribe
not to accept applications for land exchanges with the Oglala
Sioux Tribe except for the most pressing and justifiable reasons.
All land exchanges agreed to by the Oglala Sioux Tribe must be
for the best interests of the Oglala Sioux Tribe and its members.

Section 3. The provisions herein shall only govern land
exchanges between an individual member of the Oglala Sioux Tribe
and the Oglala Sioux Tribe.

Section 4. Before any consideration is given to any appli-
cation for land exchange, a written application must be submitted
on a form supplied by the Oglala Sioux Tribe or on a form sub-
stantially identical in nature. The form must show the legal
description of the land proposed to be exchanged by the individual
member, the land owned by the Oglala Sioux Tribe desired, the
manner of utilization by the individual owner over the last five
years, including whether farmed or grazed, the nature and quantity
of water available for use on the land, the nature and extent of
any easements or rights of ways through the land, the location
of individually owned land with respect to land owned by the
Oglala Sioux Tribe, the gross income produced by the land in each
of the past five years, the length and duration of any leases

outstanding on the land, and the names and addresses of any and all persons having leased the land for each of the past five years and the amount paid for the lease in each of those years.

Section 5. All applications for land exchanges pursuant to the provisions herein shall be accompanied by an accurate and acceptable appraisal compiled by a certified appraisor. The appraisal must have been completed within one year from the date of the application for land exchange. The Oglala Sioux Tribe may require or accept another or different appraisal if in their discretion the situation warrants.

Section 6. No land of the Oglala Sioux Tribe shall be exchanged for anything other than land of equal or higher value. The Oglala Sioux Tribal land base acreage shall not be diminished in any case.

Section 7. Any land owned by the Oglala Sioux Tribe that is exchanged must bear the condition that it cannot be further exchanged to any other person, business, or organization without the express approval of the Oglala Sioux Tribe. Any land further exchanged without compliance with this provision shall revert to the ownership of the Oglala Sioux Tribe.

Section 8. The Oglala Sioux Tribe reserves with respect to all land exchanged under this chapter the right to purchase said land in the event the owner subsequently decides to sell the land. This right of purchase shall exist for a period of 60 days after written notice is conveyed the Oglala Sioux Tribe.

Section 9. Any land exchanged by the Oglala Sioux Tribe with a member of the Tribe shall not be transferred or devised to any relative of the member unless said relative agrees to the provisions of these regulations.

Section 10. A decision under any of the sections of these regulations by the Oglala Sioux Tribe as its authorized agent or agency shall be final and unreviewable by any Court.

C E R T I F I C A T I O N

I, as undersigned, Secretary of the Oglala Sioux Tribal Council, hereby certify that this resolution was adopted by the vote of 15 for; 2 against; 1 not voting; during a Regular Session held on the 1st day of February, 1977.

Frank S. Starr
Frank S. Starr, Secretary
Oglala Sioux Tribal Council

ATTEST:

Albert W. Trimble
Albert W. Trimble, President
Oglala Sioux Tribal Council

RECEIVED

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Pine Ridge Agency