



# Pawnee Nation of Oklahoma

RESOLUTION #21-75  
SEPTEMBER 28, 2021

## RESOLUTION

### SUSPENDING SALE OF CERTAIN PROPERTY

- Whereas,** The Pawnee Business Council is the supreme governing body of the Pawnee Nation and is authorized to conduct business on behalf of the Pawnee Nation in accordance with Article IV, Sections 1 and 2 of the Pawnee Nation Constitution and By-Laws; and
- Whereas,** the Pawnee Business Council met in special session on September 28, 2021, on Pawnee Nation Microsoft TEAMS duly authorized, with a quorum present; and
- Whereas,** the Pawnee Business Council, in accordance with subsection 1.5 of Section 1 of the Pawnee Tribal Development Corporation's Articles of Incorporation, which states the Pawnee Nation of Oklahoma does own the Pawnee Tribal Development Corporation in its entirety; and
- Whereas,** the Pawnee Business Council has published the "Pathway to Prosperity Plan" to address the gaming and business industry of the Pawnee Tribal Development Corporation and will be implementing the final stages of the plan; and
- Whereas,** the Constitution of the Pawnee Nation provides:
- Article III, Section 2. Subject to the limitations imposed by this Constitution and applicable Federal law, the Pawnee Business Council shall exercise all the inherent, statutory, and treaty powers of the Pawnee Nation of Oklahoma by the enactment of legislation, the transaction of business, and by otherwise speaking or acting on behalf of the Pawnee Nation of Oklahoma on all matters which the Pawnee Nation of Oklahoma is empowered to act, including the authority to hire legal counsel to represent the Pawnee Nation of Oklahoma.
- Article VIII, Section 3. All acts regarding Membership or Claims or Treaty Rights of the Pawnee Business Council shall be subject to review by the Nasharo Council in accordance with this Constitution; and
- Whereas,** Tribal Development Corporation Articles of Incorporation Section 7.3 provides authority:
- To purchase, take by gift, devise or bequest or otherwise acquire, own, hold, manage, operate, sell, convey, mortgage, pledge, encumber, lease, exchange, transfer and otherwise dispose of property and assets of every description, real and personal, tangible or intangible, including money, securities, or any interest therein, but not to sell or mortgage reservation lands, or to lease them for periods in excess of periods authorized by applicable law. However, any real property acquired within the exterior boundaries of the Pawnee Indian reservation shall be acquired in accordance with Section 302(d) of the Business Corporation Act of the Pawnee Nation.
- Whereas,** Pawnee Nation Corporation Act Section 302 (d) provides that Pawnee Nation Corporations may purchase and take real property; however, title to acquired property within the exterior boundaries of the Pawnee Nation shall be held by the United State in trust for the Pawnee Nation

**Whereas,** The Pawnee Business Council understands that Tribal Development Board has chosen to sell tribally owned properties in the city of Pawnee, Oklahoma namely, BJ's with attached BBQ Building, and the old Pani Star T-shirt building, herein after referred to as the "subject property"; and

**Whereas,** the Pawnee Business Council finds there is a substantial question as to the tribal status of the subject property and whether the Pawnee Tribal Development Corporation Board of Directors has authority to sell the subject property without the consent of the Pawnee Business Council or the Nasharo Council.

**NOW, THEREFORE BE IT RESOLVED** the Pawnee Business Council asserts the Pawnee Nation's interest in the subject property and suspends the sale of the subject property by the Pawnee Tribal Development Corporation until further notice by the Pawnee Business Council, and the Pawnee Tribal Development Corporation is directed to advise the intended purchasers of the subject of property of this resolution.

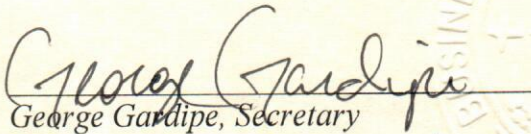
**FURTHER, BE IT RESOLVED** the Pawnee Business Council authorizes the President to file this Resolution in the Pawnee County Court Clerk's Office giving notice to the intended purchasers and others of the Pawnee Nation's interest in the subject property.

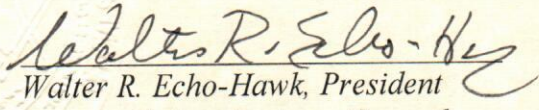
### CERTIFICATION

I, George Gardipe, Secretary of the Pawnee Business Council, certify that a Special Meeting of the Pawnee Business Council was held on the 28<sup>th</sup> day of September 2021 and that the Pawnee Business Council is composed of eight members, of whom 7 were present, 1 absent, comprising a quorum, and the foregoing resolution was duly adopted by a vote of 6 for, 0 against, 0 abstaining, and 1 not voting.

*Signed this 28<sup>th</sup> day of September 2021*

ATTEST:

  
George Gardipe, Secretary  
Pawnee Nation Business Council

  
Walter R. Echo-Hawk, President  
Pawnee Nation Business Council

