

OMAHA TRIBE OF NEBRASKA

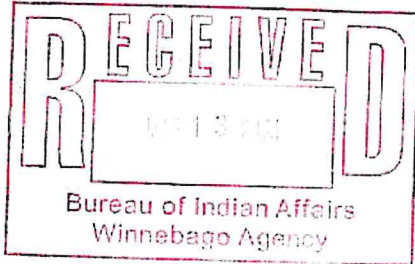
Executive Officers

Jason Sheridan, Chairman
Jerome Hamilton, Vice-Chairman
Alan Harlan, Treasurer
Dustin Lovejoy, Secretary



Members

Leander Merrick
Galen Aldrich, Sr.
Calvin Harlan



RESOLUTION NO. 24-43

OF THE

OMAHA TRIBE OF NEBRASKA

RE:

revocation of home site lease of Monica Velasquez on the Stephen Wells allotment – 619-2 - located NE ¼ less road & less 1/16 int in S ½ NE ¼ located in SECTION: 10 TOWNSHIP: 25 RANGE: 9 East of the 6th Principal Meridian.

WHEREAS: The Omaha Tribe of Nebraska is a federally recognized Indian tribe, organized under a constitution and bylaws approved by the Secretary of Interior on April 30, 1936, pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934; and

WHEREAS: pursuant to Article III, Sec.1 of the constitution of the Omaha Tribe of Nebraska, the governing body of the Omaha Tribe shall also be known as Tribal Council; and

WHEREAS: Article IV, Section 1 (c) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to approve or veto any sale, disposition, lease or encumbrance of tribal land, interest in land or other tribal assets, which may be authorized or executed by the Secretary of the Interior, the Commissioner on Indian Affairs, or any other qualified official or agency of government, providing that no reservation lands shall ever be leased for a period exceeding the (10) years, sold, or encumbered, except for governmental purposes; and,

WHEREAS: Article IV, Section 1 (j) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to safeguard and promote the economy and general welfare of the Omaha Tribe; and

WHEREAS: Article IV, Section 1 (p) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to protect and preserve the property, wild life and natural resources of the Tribe; and

WHEREAS: The Omaha Tribal Council finds that it is in Tribe's best interest to maintain certain areas of private land for tribe use; and,

WHEREAS: The Omaha Tribe Realty Department has been contacted by Monica, Velasquez, tribal member, regarding her home site lease located on this agricultural piece of land that has no residential infrastructure in place, and,

WHEREAS: The tribal member expressed her desire, want and need to erect her home site on said parcel of land already in a (5) five year agricultural lease to an outside producer, and;

WHEREAS: The Omaha tribe has genuine interest and use for this parcel of land to the benefit of the Omaha tribe and is designated as an area strictly for agricultural use, and;

WHEREAS: The B.I.A. List of Tribally Owned Tracts report indicates the Omaha tribe is majority shareholder in this tract of land at .5874255952% which according to 25 CFR § 162.101 it states majority interest means more than 50% of the trust or restricted interests in a tract of Indian land, and;

WHEREAS: The B.I.A. would be required to partition the home site area and thereby decreasing the total acreage of the agricultural lease which would adversely affect the income of all allotted; and,

WHEREAS: The Omaha tribe exerts its sovereign right to invoke majority ownership of this tract of land to be used for strictly agricultural purposes and formally requests the B.I.A. rescind the home site to Monica Velasquez, and;

WHEREAS: An old home site is currently situated on this tract of land that could be occupied by Monica Velasquez and was offered to her, as a remedy, to which she refused. Monica was then informed that the tract of land is designated for agricultural use and any improvements or enhancements may be removed by the Omaha tribe at Monica Velasquez's expense, and;

WHEREAS: A home site lease was entered into with the B.I.A. but a resolution from the Omaha tribe was not completed; and,

NOW THEREFORE, BE IT RESOLVED that the Omaha Tribal Council hereby requests the home site awarded Monica Velasquez be rescinded immediately and the agricultural lease in place remain in effect.

NOW THEREFORE, BE IF FURTHER RESOLVED: that the home site situated on said tract be offered as remedy, once again, to Monica Velasquez with all infrastructure already in place and ready for use. The offer will remain in effect for thirty (30) days after the offer is presented to Monica Velasquez.

Parcel Information	
Parcel ID:	002130001
Map Number	
State Geo Code	1253-10-0-00000-000-0001
Cadastral #	2-13
Images	
Current Owner:	WELLS, STEPHEN ALLOTMENT
Situs Address:	
Tax District:	22
School District:	WALTHILL 13, 87-0013
Account Type:	Exempt
Legal Description:	10 25 9 NE4 LESS ROAD & LESS 1/16 INT IN S2NE4
Lot Width:	N/A
Lot Depth:	N/A
Total Lot Size:	N/A

Assessed Values				
Year	Total	Land	Outbuilding	Dwelling
2023	\$444,215	\$444,215	\$0	\$0
2022				

2023 Tax Levy	
Description	Rate
THURSTON CO.	0.37034900
WALTHILL 13	1.04799300
ESU 1	0.01500000
NRD PAPIO/MISS	0.03132400
FIRE WALTHILL	0.02354400
COMM COLLEGE	0.09000000
TWP BLACKBIRD	0.01590500



Agricultural Land Information					
Soil Symbol	Landuse	LVG	Unit Value	Acres	Total Value
6603	DRY	1D	\$5,550.00	6.600	\$36,630.00
7618	DRY	4D	\$4,275.00	1.700	\$7,270.00
8006	DRY	4D	\$4,275.00	0.600	\$2,565.00
8008	DRY	4D	\$4,275.00	22.430	\$95,890.00
8068	DRY	1D	\$5,550.00	6.000	\$33,300.00
8070	DRY	4D	\$4,275.00	9.400	\$40,185.00
8071	DRY	4D	\$4,275.00	3.000	\$12,825.00
8073	DRY	4D	\$4,275.00	6.800	\$29,070.00
8078	DRY	3D	\$4,700.00	9.200	\$43,240.00
8079	DRY	3D	\$4,700.00	1.300	\$6,110.00
6603	GRAS	1G	\$1,950.00	10.310	\$20,105.00
8006	GRAS	2G1	\$1,800.00	4.690	\$8,440.00
8008	GRAS	1G	\$1,950.00	11.590	\$22,600.00
8068	GRAS	1G1	\$1,950.00	9.750	\$19,015.00
8071	GRAS	1G1	\$1,950.00	29.810	\$58,130.00
8078	GRAS	1G1	\$1,950.00	0.660	\$1,285.00
8079	GRAS	1G1	\$1,950.00	3.470	\$6,765.00
ROAD	ROAD	ROAD	\$0.00	0.940	\$0.00
ROAD	ROAD	ROAD	\$0.00	1.000	\$0.00
WASTE	WASTE	WASTE	\$85.00	9.300	\$790.00
			Total:	148.55	\$444,215.00

5 Year Sales History

No previous sales information is available (for the past 5 years).

Property Classification			
Status:	Unimproved	Location:	Rural
Property Class:	Exempt	City Size:	No Population
Zoning:	Agricultural	Lot Size:	40.01-160.00 ac.



Stephen Wells Allotment

Agriculture lease with Brad Burhoop effective 2024-2029

Majority interest

Majority interest means more than 50% of the trust or restricted interests in a tract of Indian land.

Source

25 CFR § 162.101 (/cfr/text/25/162.101)

Scoping language

For purposes of this subpart:

Is this correct? okay or not okay

Monica Valequez

Tamara Parker <tamara.parker@theomahatribe.com>

Tue 12/19/2023 10:02 AM

To:Pappan, Deirdre A <deirdre.pappan@bia.gov>;Flores, Monica <Monica.Flores@bia.gov>;Solomon, Nilah <Nilah.Solomon@bia.gov>;Greg Phillips <greg.phillips@theomahatribe.com>;Jerry Henscheid <jerryhenscheid0327@gmail.com>
Cc:Theresa Rachel <theresa.rachel@theomahatribe.com>

Good morning

I received a call from Jerry Henscheid regarding a homesite lease for Monca Valequez. It seems she acquired a home site lease from the B.I.A. for an area north of the Dennis Hastings home site. The Omaha Tribe Realty office is just now hearing about this lease that is about to expire due to no action since the lease was approved. In our effort to bring the office up to speed on land use we are suspending any additional lease requests until our current leases are tended. We are in the process of strategically planning and code development to address these issues to the benefit of the tribe and its members. It would be in the best interest of the Lessor to cease and desist all work she is attempting to do so the matter can be researched and proper documentation put in place for a proper home site lease on tribal ground. She is more than welcome to visit me in my office after 2:00 pm. Thank you.

Best,

Tamara L Parker

Omaha Tribe of Nebraska

Realty Director

PO Box 400

Macy, Nebraska 68039

Office 402-837-5391 ext 107

Cell 402-922-2021



"Do or do not. There is no try" - Yoda, Jedi Master

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Re: [EXTERNAL] Monica Valequez

Flores, Monica <Monica.Flores@bia.gov>

Tue 12/19/2023 12:05 PM

To: Tamara Parker <tamara.parker@theomahatribe.com>

Cc: Theresa Rachel <theresa.rachel@theomahatribe.com>; Solomon, Nilah <Nilah.Solomon@bia.gov>; Pappan, Deirdre A <deirdre.pappan@bia.gov>; Greg Phillips <greg.phillips@theomahatribe.com>; Jerry Henscheid <jerryhenscheid0327@gmail.com>; Harlan, Jarom M <jarom.harlan@bia.gov>

📎 2 attachments (1 MB)

25 CFR Part 162 Subpart C (up to date as of 9-19-2022).pdf; Omaha Tribe Consent 8.28.2020.pdf;

Tammy

Just to clarify, the BIA Residential Lease (380-4200350219) was issued for Omaha Allotment 619-2 not tribal ground.

In 2020, Velasquez met the consent requirements for a lease (69%) and tribal land manager as well as a tribal council member signed the consent form for the tribe's percentage (57%). attached

This particular site is concerning and will require much attention, however once the applicant applies for a homesite, consultation is given and it is up the applicant to prepare the land for their specific purposed purpose of lease, with their own resources. This has been explained multiple times, it is not up to the BIA or the tribe to provide those resources, I believe that the applicant has misinterpreted the approved lease and believes that the tribe and BIA will prepare the lands on her behalf.

We will contact Mrs. Velasques regarding her questions.

*Monica Flores
Realty Officer
Winnebago Agency
355 BIA 3
Winnebago Nebraska 68071
Email: Monica.Flores@bia.gov
Office #(402)878-2475
Fax# (402)878-2943*

From: Tamara Parker <tamara.parker@theomahatribe.com>

Sent: Tuesday, December 19, 2023 10:02 AM

To: Pappan, Deirdre A <deirdre.pappan@bia.gov>; Flores, Monica <Monica.Flores@bia.gov>; Solomon, Nilah <Nilah.Solomon@bia.gov>; Greg Phillips <greg.phillips@theomahatribe.com>; Jerry Henscheid <jerryhenscheid0327@gmail.com>

Cc: Theresa Rachel <theresa.rachel@theomahatribe.com>

Subject: [EXTERNAL] Monica Valequez

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning

I received a call from Jerry Henscheid regarding a homesite lease for Monica Valequez. It seems she acquired a home

AUTHORITY TO GRANT A RESIDENTIAL LEASE

I, Jarrod Hark, hereby authorize that I have given consideration to a proposed residential lease as defined below to the following applicant:

Monica Velasquez
1911 S. 12th Street
Omaha, Nebraska 68108

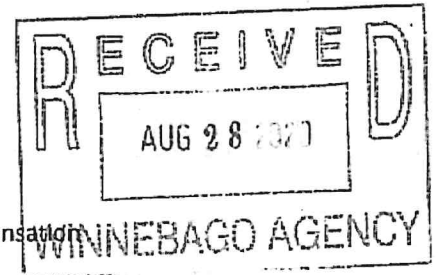
As lessee, for a period of 25 years with an opportunity to renew/or an automatic renewal for an additional 25 years on the following parcel of land known as the 619-2, Clayton Wells Allotment, of which I am an heir to. Assignments of the lease are authorized in accordance with 25 CFR § 162.

619-2, Those portions of the SE1/4SE1/4NW1/4NE1/4 and the West 285 ft. of the SW1/4SW1/4NE1/4NE1/4 lying east of the easterly right of way of US Highway 75, Sec. 10,T. 25 N., R. 9 E., 6th Prin. Mer., Thurston County, NE, containing 2.5 acres, more or less.

The lease area shall consist of a parcel containing 2.5 acres, more or less, and not more than one dwelling shall be authorized on said parcel. Easements for access and utility purposes shall be authorized. A driveway for access may be approved for ingress and egress for the above described home site lease.

CHECK ONE:

- I do not approve of the lease.
- I authorize the Secretary to grant the lease. Payment of rent or other compensation is hereby waived.
- I authorize the Secretary to negotiate and receive annual rent payments at the fair market value on my behalf. I further authorize the Superintendent to receive and disburse rental payments to all owners of the property and I understand that such disbursement shall be proportionate to each owner's share in the land



I hereby authorize the Superintendent, Winnebago Agency, to consider and document my wishes as indicated by my checkmark above. I fully understand that in the event the applicant obtains consenting authority in accordance with applicable regulations, the Bureau of Indian Affairs intends to proceed with the granting of the lease.
AUTHORITY TO GRANT A RESIDENTIAL LEASE FOR MONICA VELASQUEZ.

[Signature]
Witness

Witness

[Signature]
Signature

ISAAC STEWART JR.
Printed Name

Address

Handwritten scribbles

RECEIVED
MAY 19 1964
WINNEBAGO AGENCY

Handwritten signature

Handwritten text

CERTIFICATION

This is to certify that the foregoing resolution was considered at a duly called meeting of the Omaha Tribal Council on the 10 day of January, 2024, and was adopted by a vote of: 4 for; 0 against; 1 abstaining; with the Chairman not voting. A quorum of 5 was present.

MEMBERS VOTE:	YES	NO	ABSTAIN
Jason Sheridan			N
Jerome Hamilton	X		
Alan Harlan			AB
Dustin Lovejoy	X		
Leander Merrick	X		
Galen Aldrich, Sr.	X		
Calvin Harlan			AB

Submitted by:

Dustin Lovejoy
 Dustin Lovejoy, Secretary
 Omaha Tribal Council

1/10/24
 Date

Attest:

Jason Sheridan
 Jason Sheridan, Chairman
 Omaha Tribal Council

1-10-2024
 Date

Acknowledged:

 Nilah Solomon, B.I.A. Superintendent

 Date