

OMAHA TRIBE OF NEBRASKA

Executive Officers

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Jason Sheridan, Chairman
Leander Merrick, Vice-Chairman
Alan Harlan, Treasurer
Cheyenne Robinson, Secretary



Members

Galen Aldrich, Sr.
Jerome Hamilton
Dustin Lovejoy

RESOLUTION NO. 25-20 OF THE OMAHA TRIBE OF NEBRASKA

**RE: Cancel Home site # 243029-15-25
LaMonte & Elizabeth Phillips Bertucci**

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: pursuant to Article IV, Section 1 (c) of the Constitution of the Omaha Tribe of Nebraska, the tribal council has the authority to approve or veto any sale, disposition, lease or encumbrance of Tribal lands, 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 ten (10) years, sold or encumbered, except for government 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: Article VIII, Section 2 The tribal council may consolidate inherited land holdings by purchase, exchange, transfer or gift, or voluntary relinquishment; this includes the power to reassign such land in the public interest; and,

WHEREAS: the Omaha Tribe has determined home sites for Tribal members on Tribal lands are governmental purpose and may be leased for a term of Twenty-Five (25) years, with an option to renew; and,

WHEREAS: the Omaha Tribe Realty Department, as designee of the Omaha Tribal Council; has negotiated a home-site lease agreement between the Omaha Tribe of Nebraska as Lessor and Lamonte & Elizabeth Phillips Bertucci, as Lessee; and,

WHEREAS: The rent free home site agreement between the Omaha Tribe of Nebraska, Lessor, and LaMonte & Elizabeth Phillips Bertucci, Lessee, provided for a home site on trust land described as follows; to wit:

In Section: 25 Township: 25 N. Range 9 East 6th P.M., Thurston County, Nebraska, commencing at the SW corner of the N1/2 NE ¼ NE ¼ SE ¼ NW ¼ , thence east on the South line of the N ½ NE ¼ NE ¼ SE ¼ NW ¼ a distance of 165.0 feet to the North line of N ½ NE ¼ NE ¼ SE ¼ NW ¼ , thence southeasterly direction to a point on the South line of the N ½ NE ¼ NE ¼ SE ¼ NW ¼ , said point being 130.0 feet East of the Point of Beginning, containing 025 acres more or less ; and,

WHEREAS: according to the signed and approved home site lease, contingency 7, (c) The Lessee(s) agree not to use or caused to be used any part of said premises for any unlawful conduct or purpose; to wit; Elizabeth Phillips Bertucci was officially charged with Possession of a Controlled Substance in October 2024 which violates the home site lease as said activity occurred on the home site; and,

NOW THEREFORE, BE IT RESOLVED THAT:


The Omaha Tribe of Nebraska by and through Omaha tribal action that home site of LaMonte & Elizabeth Phillips Bertucci No: 243029-15-25 be cancelled due to unlawful activity resulting in criminal charges in the Omaha Tribal Court.

CERTIFICATION

This is to certify that the foregoing resolution was considered at a duly called meeting of the Omaha Tribal Council on the 21 day of November, 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			Abstain
Leander Merrick			Absent
Alan Harlan	X		
Cheyenne Robinson	X		
Galen Aldrich, Sr.	X		
Jerome Hamilton	X		
Dustin Lovejoy			Absent

Submitted by:


 Cheyenne Robinson, MBA, MLS
 Omaha Tribal Council Secretary

11-21-24
 Date

Attest:


 Jason Sheridan, Chairman
 Omaha Tribal Council

11-21-24
 Date

Approved:

 Nilah Solomon, Superintendent
 Bureau of Indian Affairs, Winnebago Agency

 Date

Pursuant to the authority delegated to the Assistant Secretary – Indian Affairs by 209 DM 8, to the Great Plains Regional Director by 3 IAM 4 (Release No. 00-03), and to the Superintendents by the Great Plains Addendum 3 230 DM 1, to the Great Plains Regional Director by 3 IAM 4 (Release No. 21-37), and to the Superintendents by Great Plains Regional Addendum 3 IAM 4 (Release No. 0502)