

**UPPER MATTAPONI TRIBE  
RESOLUTION No. 2024-4**

**NAME UPDATED TO TRUST LAND ACQUISITION STATUTE OF 2024  
(PREVIOUS NAME PROPERTY EXPANSION ACT OF 2024)**

At a duly called Meeting of the Council held this 27<sup>th</sup> day of April 2024, the following resolution and Law was adopted.

**WHEREAS;** the Council is vested with the authority to enact laws and Budget Resolutions pursuant to Article VI, Section 4(a) of the Constitution of the Upper Mattaponi Tribe (“Constitution”); and,

**WHEREAS;** the Upper Mattaponi Tribe (“Tribe”) desires to continue serving and expanding its local economy and community for the benefit of its’ Tribal members; and,

**WHEREAS;** the Tribal Council intends to authorize and direct the Chief of the Tribe to acquire additional lands for housing and economic development purposes for the benefit of the Tribe and the People.

**NOW THEREFORE BE IT RESOLVED** that the Council hereby enacts the attached law entitled, “TRUST LAND ACQUISITION STATUTE OF 2024”.

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

The foregoing resolution was duly voted upon by the Council on April 24, 2024, at a Regular Meeting with a vote of 6 in favor and 0 opposed, 0 abstaining, and 0 (vacant) absent, pursuant to the authority vested in the Council by the Constitution of the Tribe.

  
Secretary of the Council

**COUNCIL - RESOLUTION NO. 2024-4 :**  
**SPONSOR:**

**CO-SPONSOR(S):**

<b>REPRESENTATIVES</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Rob Adams	✓			
Ken Adams	✓			
Wilma Hicks	✓			


Sonny Knighton	✓			
Desiree Dyer	✓			
Owen Adams	✓			
Vacant	—	—	—	—

Vacant

**ASSISTANT CHIEF:** (Authorized to break tie votes only): \_\_\_\_\_

**DELIVERY OF THE RESOLUTION AND LAW TO THE CHIEF**

Resolution No. 2024-4 was presented to the Chief of the Upper Mattaponi Tribe on the 27<sup>th</sup> day of April 2024, pursuant to the Article VII, Section 5(f) of the Constitution of the Upper Mattaponi Tribe, and will become effective after signature by the Chief or veto override by the Council.

  
 \_\_\_\_\_  
 Speaker of the Council or Designee

**CHIEF'S ACTION:**

APPROVED

VETO – RETURNED TO COUNCIL WITH EXPLANATION

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

On this 29 day of APRIL, 2024.

W. Frank Adams  
Chief

Presented by the Chief to the Council on the 29<sup>th</sup> day of April, 2024.

**COUNCIL'S ACTION:**

**Override of Chief's Veto:**

Yes

No

REPRESENTATIVES	YES	NO	ABSTAIN	ABSENT
Rob Adams				
Ken Adams				
Wilma Hicks				
Sonny Knighton				
Desiree Dyer				
Owen Adams				
Vacant				

**CERTIFICATION**

The foregoing resolution was duly voted upon by the Council on \_\_\_\_\_, 2024, at a Regular Meeting with a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, \_\_\_\_ abstaining, and \_\_\_\_ absent, pursuant to the authority vested in the Council by the Constitution of the Tribe.

**Section 1. Title**

This Code shall be known as the “Trust Land Acquisition Statute of 2024”

**Section 2. Authority**

This Code is enacted pursuant to the inherent sovereign authority of the Upper Mattaponi Tribe (also referred to herein as “Tribe”) and pursuant to the Constitution of the Upper Mattaponi Tribe, which confers all Legislative power of the Upper Mattaponi Tribe in the Council of the Upper Mattaponi Tribe.

**Section 3. Purpose.**

The purpose of this Act is to authorize and direct the Chief to acquire additional lands for housing and economic development purposes for the benefit of the Tribe and the People.

**Section 4. Effective Date**

The provisions of this code shall be effective upon the date signed by the Chief of the Upper Mattaponi Tribe, or upon the date of a veto override by the Council.

**Section 5. Interpretation**

The provisions of this Code shall be interpreted to be in accordance with tribal customary law. Whenever there is uncertainty or a question as to the interpretation of certain provisions of this Code, tribal law and custom shall be controlling, and where appropriate, may be based on the written or oral testimony of a qualified tribal elder, tribal historian, or tribal representative. If the traditions and customs of the Tribe are inconclusive in any matter, the Court shall construe it consistently with applicable textual tribal law. In the absence of applicable tribal customary law or textual tribal law, the Court shall construe it consistently with applicable federal or state law.

**Section 7. Severability and Non-Liability**

If any section, provision, or portion of this Code is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Code shall not be affected thereby.

**Section 8. Authorization to Purchase.**

The Council hereby authorizes the Chief or his designee or a Tribally Owned Corporation to purchase or acquire land subject to appropriation for such purposes. In making such appropriations, the Council may make restrictions on the total amount expended for a particular tract of land, including price per acre limitations on the amount expended. In the process of purchasing such land, an attorney must be consulted, and before the land can be purchased the attorney shall state in writing to the Council and the Chairman that:

- a. Title to be conveyed to the Upper Mattaponi Tribe is sufficient to satisfy the United States in an action under 25 U.S.C. part 151;
- b. a phase 1 environmental review reveals no impairments to the land to be purchased;  
and
- c. the other requirements of 25 U.S.C. part 151 likely can be met when the Upper Mattaponi Tribe seeks to put the land into trust.

**Section 9. Duty to Apply for Trust Status.**

Within 180 days of acquiring title of property purchased under this Act, the Chief or his designee shall take the necessary steps to take the land into trust.