



A RESOLUTION OF THE TRIBAL COUNCIL OF THE  
DELAWARE TRIBE OF INDIANS TO SUBMIT AMENDED  
LEGAL DESCRIPTION OF CANEY, KS PROPERTY WITH  
AMENDED FEE-TO-TRUST APPLICATION TO THE  
BUREAU OF INDIAN AFFAIRS

**RESOLUTION 2013-60**

**Whereas**, the Delaware Tribal Council is authorized by the Constitution and By-Laws of the Delaware Tribe to represent and act on all matters that concern the general welfare of the Tribe, and,

**Whereas**, the Delaware Tribal Council has established a tribal operations facility in Caney, Kansas at 601 High Street for the purpose of administering essential government services and to house offices for the Delaware Enterprise Authority and other business subsidiaries, and,

**Whereas**, the Delaware Tribal Council has submitted a Fee-To-Trust application to the Bureau of Indian Affairs in January 2013 for this property and subsequently discovered a mistake in the legal description, causing the Tribe to acquire an amended legal description by a licensed certified surveyor and filed in the County of Montgomery, Kansas in September 2013, and,

**Whereas**, the Delaware Tribe shall resubmit an amended non-gaming fee-to-trust application to the Bureau of Indian Affairs with the following amended legal description:

TRACT A (Written by R. Gary Walker, LS 1066, October 31, 2013)

A tract of land located in a portion of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 13, Township 35 South, Range 13 East of the 6th Principal Meridian, City of Caney, Montgomery County, Kansas; more particularly described as follows:

Commencing at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 13, thence S 89°06'35"E, along the South line of the Northeast Quarter of the Northeast Quarter, a distance of 30.01 feet, to the East Right of Way Line of High Street, for the True Point of Beginning; thence N 00°29'47"W, along said East Right of Way Line of High Street, a distance of 328.07 feet to the North line of the South Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13; thence S 89°11'40"E, along said North line, a distance of 420.34 feet; thence S 01°07'05"W, a distance of 328.58 feet to the South line of the Northeast Quarter of the Northeast Quarter; thence N 89°06'35"W, along said South line, a distance of 411.09 feet to the Point of Beginning and containing 3.133 acres, more or less.

TRACT B (Written by R. Gary Walker, LS 1066, October 31, 2013)

A tract of land located in a portion of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 13, Township 35 South, Range 13 East of the 6th Principal Meridian, City of Caney, Montgomery County, Kansas; more particularly described as follows:

Commencing at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 13, thence S 89°06'35"E, along the South line of the Northeast Quarter of the Northeast Quarter, a distance of 441.10 feet for

the True Point of Beginning; thence N 01°07'05"E, a distance of 328.58 feet to the North line of the South Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13; thence S 89°11'40"E, along said North line, a distance of 203.50 feet to the Northeast corner thereof; thence S 00°22'38"E, along the East line of the South Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter, a distance of 328.96 feet to the Southeast corner thereof; thence N 89°06'35"W, along the South line of the Northeast Quarter of the Northeast Quarter, a distance of 212.09 feet to the Point of Beginning and containing 1.568 acres, more or less.

TRACT C (Written by R. Gary Walker, LS 1066, October 31, 2013)

A tract of land located in a portion of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 13, Township 35 South, Range 13 East of the 6th Principal Meridian, City of Caney, Montgomery County, Kansas; more particularly described as follows: Commencing at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 13, thence S 89°06'35"E, along the South line of the Northeast Quarter of the Northeast Quarter, a distance of 30.01 feet, to the East Right of Way Line of High Street; thence N 00°29'47"W, along said East Right of Way Line of High Street, a distance of 278.05 feet to the South line of the North 50 feet of the South Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13 for the True Point of Beginning; thence S 89°11'40"E, along said South line, a distance of 418.93 feet; thence N 01°07'05"E, a distance of 50.00 feet to the North line of the South Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter; thence N 89°11'40"W, along said North line, a distance of 420.34 feet to the aforementioned East Right of Way line of High Street; thence S 00°29'47" E, along said East Right of Way line, a distance of 50.02 feet to the Point of Beginning and containing 0.482 acres, more or less.

TRACT D (Written by R. Gary Walker, LS 1066, October 31, 2013)

A tract of land located in a portion of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 13, Township 35 South, Range 13 East of the 6th Principal Meridian, City of Caney, Montgomery County, Kansas; more particularly described as follows: Commencing at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 13, thence S 89°06'35"E, along the South line of the Northeast Quarter of the Northeast Quarter, a distance of 30.01 feet, to the East Right of Way Line of High Street for the True Point of Beginning; thence N 00°29'47"W, along said East Right of Way Line of High Street, a distance of 50.02 feet to the North line of the South 50 feet of the South Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13; thence S 89°06'35"E, along said North line, a distance of 412.50 feet; thence S 01°07'05"W, a distance of 50.00 feet to the South line of the Northeast Quarter of the Northeast Quarter; thence N 89°06'35"W, along said South line, a distance of 411.09 feet to the Point of Beginning and containing 0.473 acres, more or less.

TRACT E (Written by R. Gary Walker, LS 1066, October 31, 2013)

A tract of land located in a portion of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 13, Township 35 South, Range 13 East of the 6th Principal Meridian, City of Caney, Montgomery County, Kansas; more particularly described as follows: Commencing at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 13, thence S 89°06'35"E, along the South line of the Northeast Quarter of the Northeast Quarter, a distance of 441.10 feet; thence N 01°07'05"E, a distance of 50.00 feet for the True Point of Beginning; thence continuing N 01°07'05" E, a distance of 228.58 feet to the South line of the North 50 feet of the South Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13; thence S 89°11'40" E, along said South line, a distance of 58.04 feet; thence S 00°29'47" E, a distance of 228.73 feet to the North line of the South 50 feet of the

Northeast Quarter of the Northeast Quarter; thence N 89°06'35" W, along said North line, a distance of 64.48 feet to the Point of Beginning and containing 0.322 acres, more or less.

**Now Therefore Be It Resolved That,** The Delaware Tribal Council adopts this resolution to support placing the property in federal Indian trust status.

#### CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 5th day of November 2013 with a vote of 6 yes, 0 no, and 0 abstaining.

  
Paula Pechonick, Chief

  
Verna Crawford, Secretary