

NOTICE OF LEASE AUCTION ON INDIAN LAND FOR AGRICULTURAL OR HUNTING PURPOSES



DEPARTMENT OF THE INTERIOR – BUREAU OF INDIAN AFFAIRS
Chickasaw Agency
April 18, 2023

PLEASE READ CAREFULLY. NEW COVID PROTOCOL.

SALE OF LEASES: The opening of bids for agriculture and hunting purposes will be conducted on Date of Sale, at the Chickasaw Agency ~ Bureau of Indian Affairs, 2015 Lonnie Abbott Boulevard, Ada, Oklahoma, under regulatory provision cited in Title 25, Code of Federal Regulations, Section 162 (25 CFR§162). The Bureau of Indian Affairs reserves the right to withdraw, add or correct a legal description or item, reject any bid or disapprove any lease submitted on an accepted bid. All properties are offered subject to acceptance by the individual Indian surface owner(s.) Should there be any questions, please contact the Chickasaw Agency at (580) 436-0784 ext. 107.

POSSESSION: If you are in possession/use of the land and fail to successfully acquire the lease, you will be issued a prorated fee for the time of use and surrender the described land.

INSPECTION/CONDITION AND LOCATION OF PROPERTY: All potential bidders are encouraged to inspect the property prior to submitting a bid as the Government makes no warranty, expressed or implied, as to the description of any of the property, or its fitness for use. All property listed therein is offered "as is" and subject to all existing encumbrances such as rights-of-way, mineral leases, etc. Please visit the Chickasaw Agency webpage, listed below, to view the aerial map of the allotment location and access.

BID CONSIDERATION: Sealed bids will be accepted for consideration until 12:00 p.m., April 18, 2023, and opened at set time below, at the Chickasaw Agency ~ Bureau of Indian Affairs, 2015 Lonnie Abbott Boulevard, Ada, Oklahoma, for the leasing of the listed and described properties for agricultural and hunting purposes. Each bid must be submitted on a standard bid form provided by the Bureau of Indian Affairs and accompanied by a bid deposit of at least 30 percent of the first year's rental along with the enclosed ACH Form. BIDS ARE TO BE SUBMITTED IN SEALED ENVELOPES, CLEARLY MARKED TO THE SUPERINTENDENT, CHICKASAW AGENCY, P.O. Box 2240, Ada, Oklahoma 74821, and clearly identified as "BID FOR AGRICULTURE/HUNTING LEASE," not to be opened until 2 p.m., Tuesday, April 18, 2023, TRACT NO. (identified.) All deposits received from unsuccessful bidders will be returned. In accordance with 25 CFR§162.212 (b), bidders will not be afforded any preference. The Secretary of the Interior reserves the right to reject any bid when such is in the best interest of the Indian owners.

OPEN AUCTION: There will be **NO OPEN AUCTION**. ONLY SEALED BIDS WILL BE CONSIDERED. Should there be 2 or more bid offers submitted for the same allotment, the 2 highest responsible bidders will be contacted via telephone for a conference call and allowed to increase their bid. Lease will be granted to the highest bidder. Please ensure a current telephone number, home or cell, is provided so you may be contacted on day of sale should the need arise. Please be aware, when bidding, bidder is making an offer for the **RESTRICTED INTEREST ONLY**.

FORFEITURE OF DEPOSIT: Within 30 days of notification, the successful bidder must remit the balance of the first year's rental (remaining 70%) along with an administrative and filing fee. Within this 30-day period, the lease, in completed form, shall be filed with the Chickasaw Agency, Superintendent, unless for good and sufficient reason, an extension for filing of the lease documents has been granted. NO EXTENSION may be granted for remitting the balance of monies due. Failure of the successful bidder to pay the full consideration with the specified period or failure to file the completed lease within said period or extension thereof, or if the lease is disapproved through no fault of the lessor or the Department of the Interior, the deposited 30 percent bid shall be forfeited for the use and benefit of the Indian surface owner, in accordance with regulations.

DECLINATION OF BID: In the event that any bid or offer is rejected, all monies deposited, except that amount paid for the administrative and filing fee, will be returned to the bidder.

LEASE FORM: Standard lease forms provided by the Bureau of Indian Affairs, Chickasaw Agency, are required for utilization. A copy of the Bureau's standard lease form is available for review upon request.

LEASE PROVISIONS: All leases contain standard stipulations in accordance with the provisions found in 25 CFR§162.219. Leases will have a term of five (5), or ten (10) years (subject to fair market rental adjustments after 5 years) except for 100 percent estate owned leases, which will be leased no longer than two (2) years. Pursuant to National Policy Memorandum No. NPM-TRUS-16, which became effective on May 16, 2007, all Trust land use payments are to be made directly to the centralized commercial lockbox unless 100 percent of the beneficial Indian landowners agree to a direct pay relationship with the associated lessee. Therefore, unless the Bureau receives a written request for direct payment terms from 100 percent of the Indian landowners, along with written consent of the lessee, all annual rental payments should be remitted to the following address: Chickasaw Agency, Dept. C110, P.O. Box 979121, St. Louis, MO 63197-9000. Annual rental is due and payable on each anniversary date of the lease, or as specified and provided under the terms of the lease. Late payments are subject to interest charges.

LEASE STIPULATIONS: The lessee is responsible for adhering to ALL lease stipulations. Agriculture leases are for agriculture purposes only. Hunting leases are for hunting only. An approved agriculture lease DOES NOT give authority to lessee to hunt on the property. A separate hunting lease MUST be obtained through the Bureau. Any hunting blinds, equipment, feeders, stands, etc. found on an agriculture lease will be immediately confiscated and turned over to law enforcement.

BONDING REQUIREMENTS: Leases WILL NOT be approved without adequate bond coverage. Lessee shall furnish with each lease an appropriate performance bond in proper form, as specified by regulations. Acceptable forms will be made available by the Bureau of Indian Affairs.

ELIGIBILITY OF BIDDERS: The bidder warrants that he/she is not under the age of 18 years or an employee of an agency of the Federal Government prohibited by the regulations of that agency from bidding hereunder. In accordance with 25 CFR§162.213 (a) If the tenant is a corporation, partnership or other legal entity, it must provide current organizational and financial documents, as needed to show that the lease will be enforceable against the tenant and the tenant will be able to perform all its lease obligations.

REQUIREMENTS TO COMPLY WITH APPLICABLE LAWS AND REGULATIONS: It is the bidder's responsibility to ascertain and comply with all applicable Federal, State, local, and multi-jurisdictional laws, ordinances, and regulations pertaining to the bidder's occupancy of the premises or business conducted thereon, including tribal laws regulating activities on agricultural land, environmental protection, and historic or cultural preservation, but only as far as these laws, regulations, ordinances and requirements are violated by the conduct of the bidder's occupancy.

UNRESTRICTED INTEREST: The bidder is responsible for consummating a lease for the unrestricted interest. The Agency recommends contacting the County Assessor's Office to obtain the name and address of the owner(s) of the unrestricted interest to discuss the possibility of leasing.

Please visit the Chickasaw Agency Webpage for more information:
www.bia.gov/regional-offices/eastern-oklahoma/chickasaw-agency

Superintendent

March 24, 2023
Date