

Lease and Option to Purchase

Proposed Other Business Arrangement (OBA)

January 18, 2024
Board of Trustees





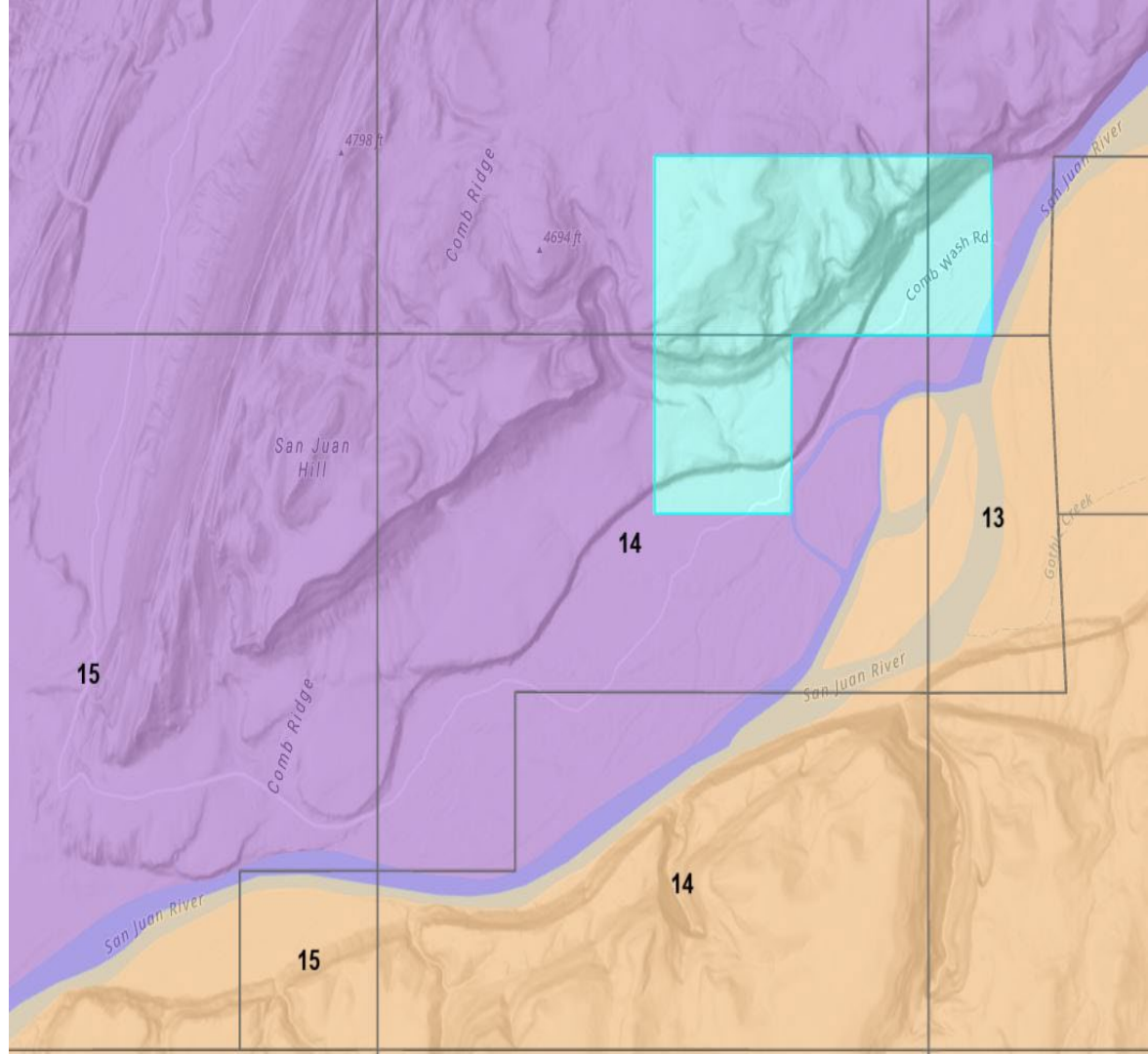
Historical Context

Jim/Clark Family

Beginning in the early 1800's, the Jim/Clark family, a Native American family, raised sheep and lived off the land near the San Juan River.

Original Jim/Clark Property

- Obtained property rights from the federal government related to their historical uses.
- In 1884, they were flooded out by the San Juan River.

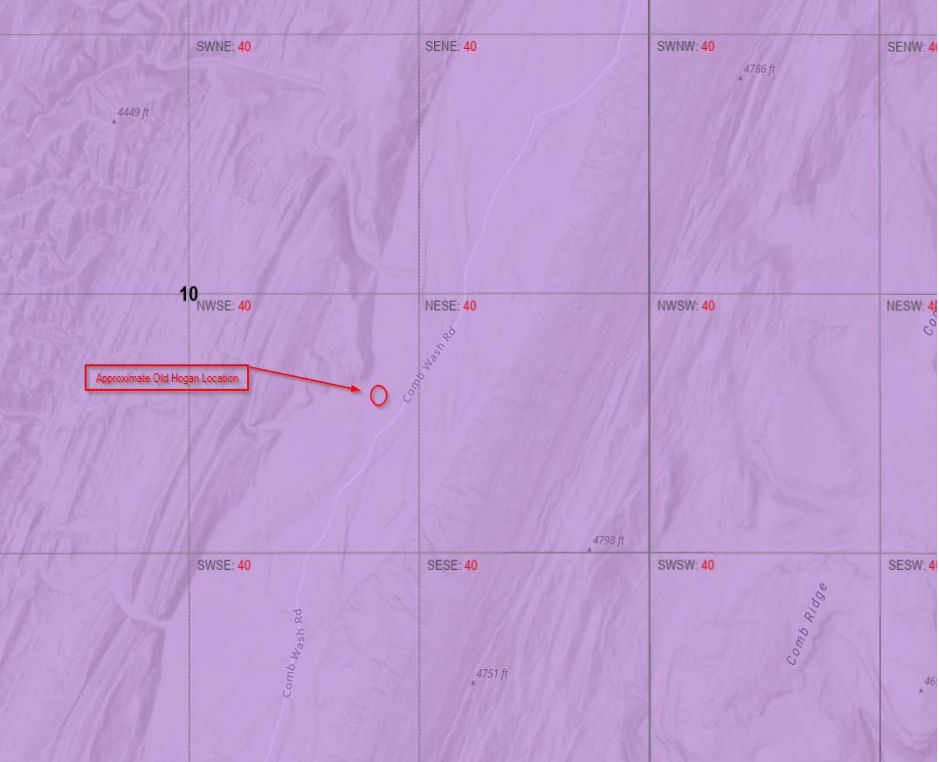


Original Clark Property

Rich in Cultural and Historical Artifacts

The federal government has desired to obtain this property for the last several decades because it contains some significant ruins and petroglyphs



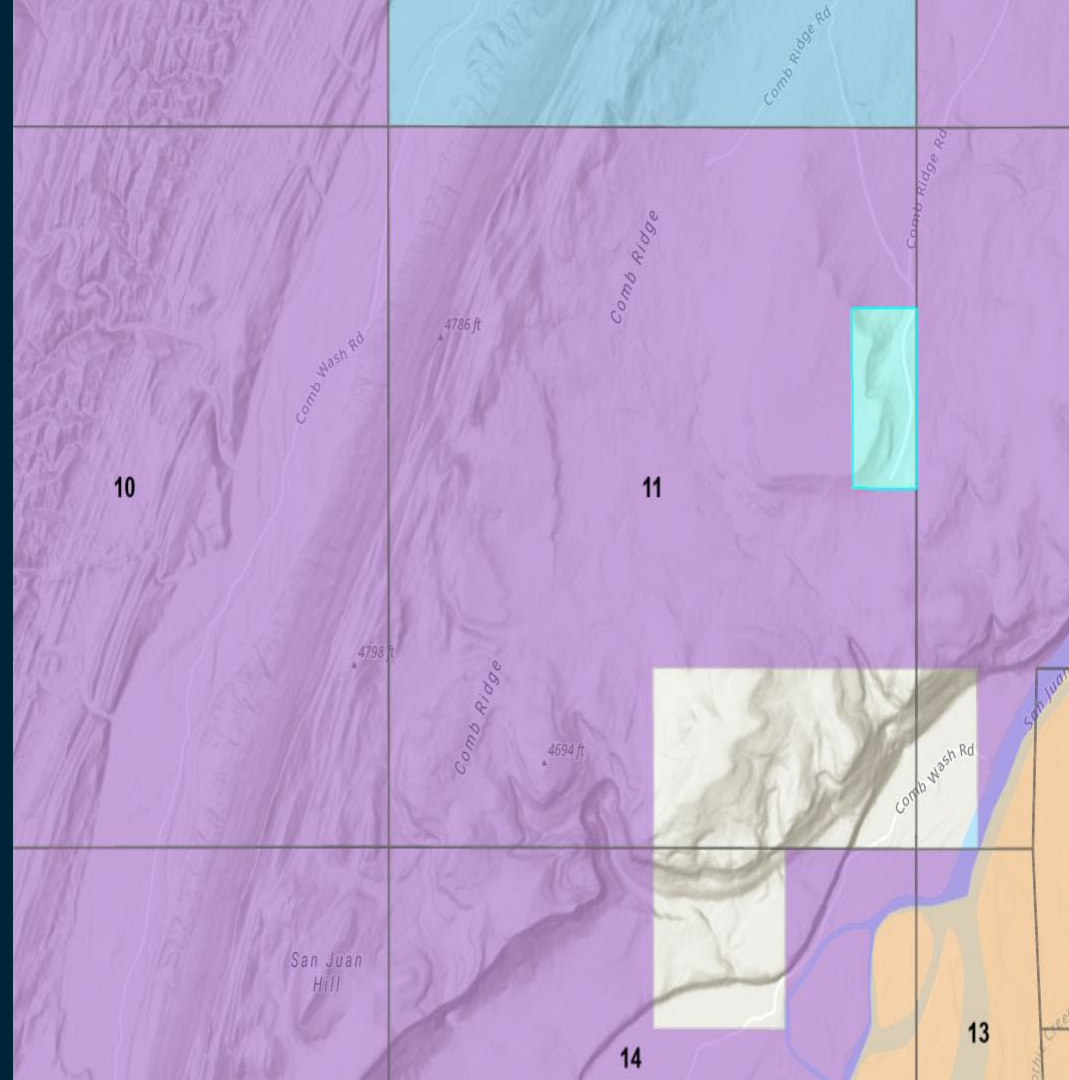


Settling in Comb Wash

After the San Juan River flood, the Jim/Clark Family experienced another flood after moving their family to Comb Wash. They decided to seek even higher ground.

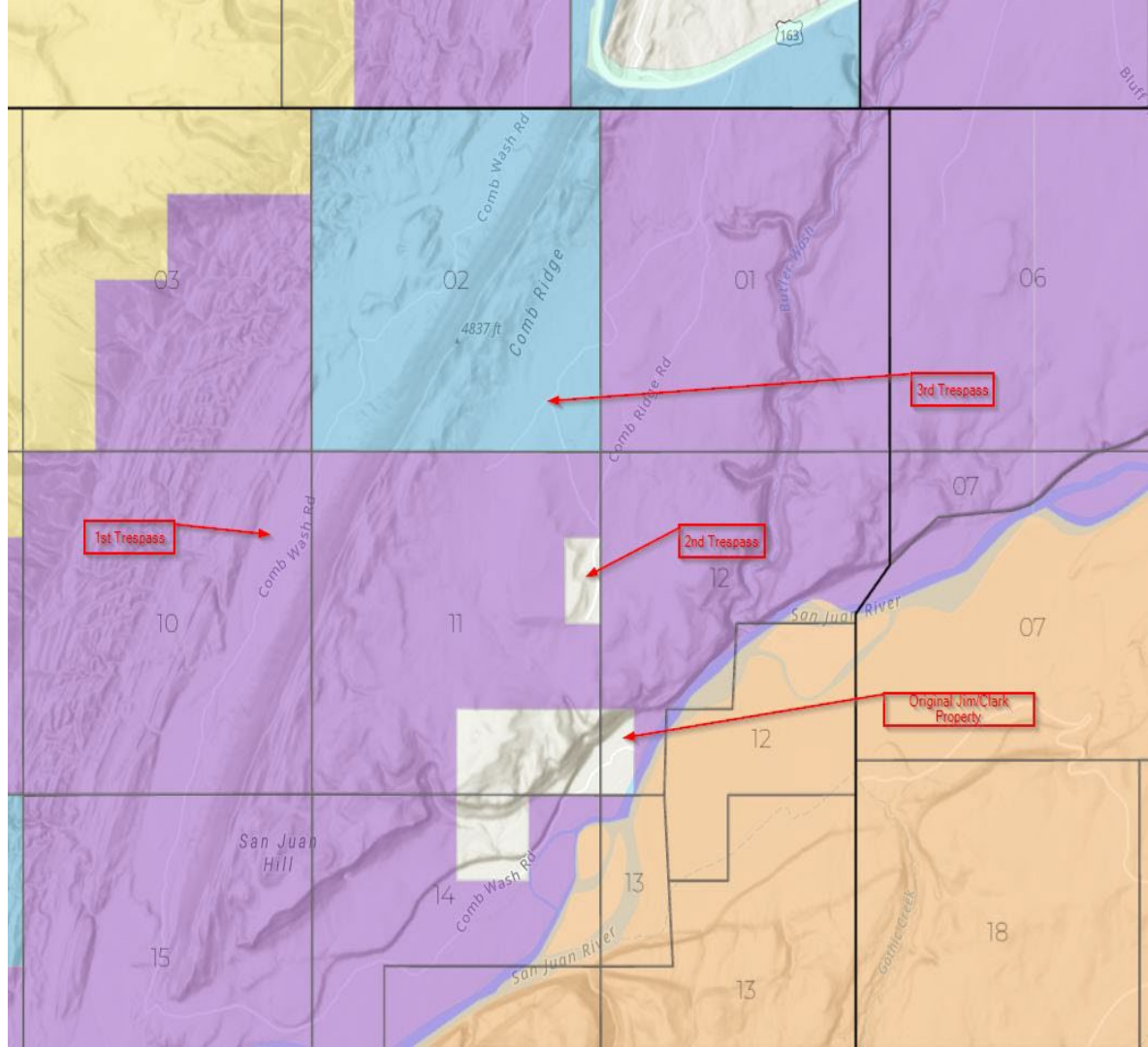
Higher Ground

- They settled on 20 acres on higher ground owned by the federal government
- Eventually got property rights to the 20 acres because the federal government wanted to resolve the trespass



TLA Property Trespass

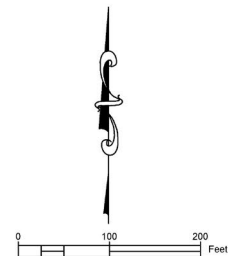
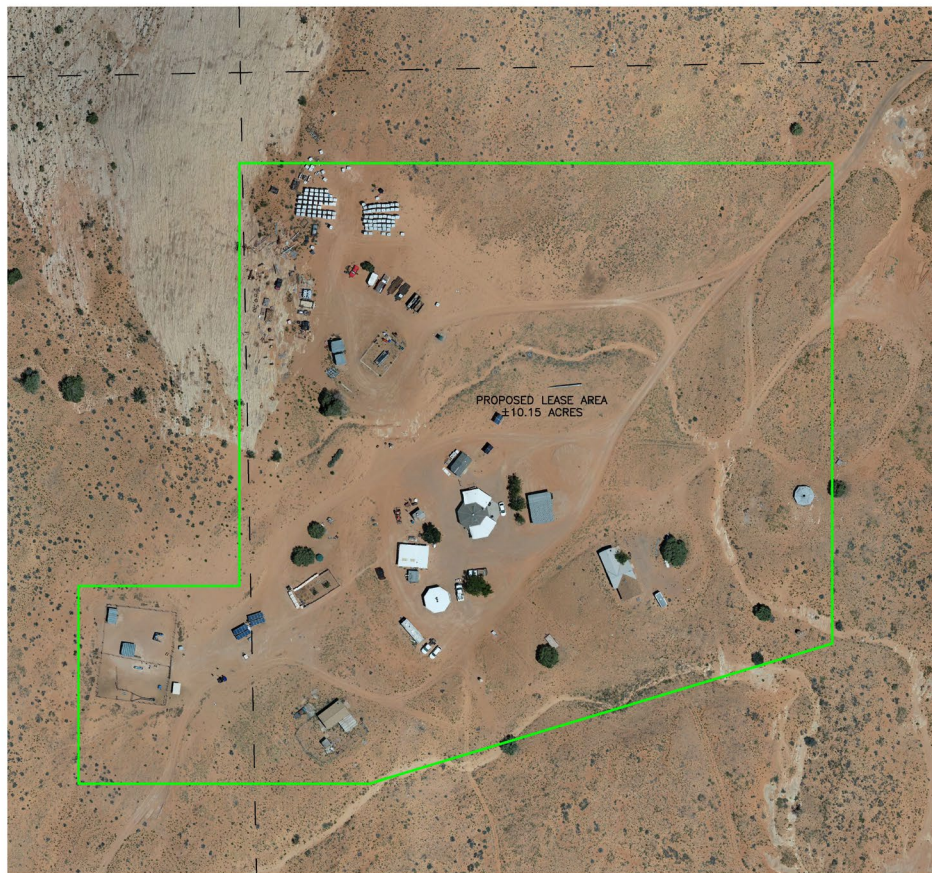
- The family grew and felt the need to separate
- Some family members built a hogan on property north of their 20 acres
- They were unaware it was trust lands
- BLM three-way trade proposal
- Annual right-of-entry permits to authorize occupancy of property
- BENM designation, exchange proposal, change in BLM focus
- Regardless of land exchange outcome, a long-term solution to this issue is needed



Old and Newer Structures on TLA Property



Lease/Purchase Boundary Survey – 10.15 acres





Transaction Structure

- Lease approximately 10 acres to Vickie Clark
- Option to purchase leased lands in the future
- Lease terms:
 - Initial annual payment of \$1,250
 - Rent adjustments every five years, standard lease language
 - 30-year term
- Purchase option:
 - Payment of appraised value at time of sale
 - Standard reservations (minerals, sand & gravel royalty, etc.)

**Reviewed by Surface Committee on
December 5, 2023**

Proposed Motion:

“Move for staff to proceed with the OBA to lease the subject property, with an option to purchase, on the terms set forth in the memorandum to the Board, and for the agency to execute and take all further actions necessary to finalize the transaction.”

