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- **Rights-of-Way**

As part of the trust responsibilities governed by a contract with the U. S. government, the Division processes or assists in determining and defining rights-of-way and easements for Tribal members and Tribal departments as needed.

- **Appraisals**

The Realty Division contracts for appraisals on land to be acquired by the Lummi Nation and also assists Tribal members in arranging for appraisals that they wish to acquire. Appraisals are also arranged when possible for leases, land trades, and land sales as required by various sections in CFR 25. Statements of value are provided on a need basis for gift deeding and easements as required.

- **Fee-To-Trust**

Upon application to convert land into Trust by Lummi tribal members, a lengthy process is conducted by the United States Government for the Tribal Member. This process requires certified surveys, title insurance, environmental assessments, hazardous material check-off lists, public notices, and wait periods between notices and decisions.

- **Enforcement**

The Realty Division will process and transmit requests for collection and payment for approved leases and deferred payment agreements upon written request and documentation of leases and agreements. The Realty Division will assist Tribal Members in correcting private agreements and acquiring approved agreements as needed and requested.

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### OUR MISSION:

Is to Effectively meet the Realty needs of the Lummi community as a Self-Governance tribe.

### LUMMI NATION CONTACT:

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# LUMMI NATION REALTY DIVISION

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Lummi Nation  
Planning Department—Realty Division  
2828 Kwina Road  
Bellingham, WA 98226

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## LUMMI REALTY DIVISION

The Lummi Realty Division was established under the Self-Governance Compact with the Bureau of Indian Affairs (BIA), Department of Interior of the United States Government.

The Compact calls for the Realty Division to provide realty services to Tribal members and other Indian enrolled owners of land on the Lummi Indian Reservation. With this service comes the weight and direct obligations of the Government's trust responsibilities for Indian lands. This trust obligation is the driver behind all realty processes and procedures.

The obligations inherent in this trust obligation also require a great deal of security and discipline in record keeping.

All procedures and processes are as defined by Code of Federal Regulations (CFR) 25 and other Federal Regulations as printed and issued by the U. S. government.

### **Procedures and processes conducted by the Realty Division are as follows:**

- **Probates**

The specially trained Probate Clerk on the Realty Division's staff handles probate processing and procedures. This task is primarily to establish and document heir ship to Lummi tribal estates and convey the documents to the Judge or Administrator making the probate

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decisions. This requires a high degree of accuracy and close following of all required procedures. CFR 43 contains most of the regulations and procedures used for Tribal probates.

- **Land Records**

Land records and ownership records are maintained in the Realty Office including original deeds. This information is only available to the landowner and Tribal departments needing the information for Tribal operations. The Division provides for the processing of requests for Title Status Reports (TSR) and Individual Title Inventory (ITI) reports on individual ownership for Tribal members.

- **Title Transfers**

The Realty Division processes and oversees land purchases, land trades, and gift deeds to see that all documents are in good order and properly recorded at the BIA's Title Plant in Portland, Oregon. In addition, the office maintains records, deeds, and ownership documentation of land titles.

- **Land Acquisitions**

The Realty Office in support of the Tribal Administration (LIBC) and Tribal departments either directs or assists in purchasing land parcels identified by the proper Tribal authorities as land to be purchased by and for

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the Lummi Nation. It is the intention of the Division to follow a developed Land Acquisition Plan approved by the Planning Commission and the Lummi Indian Business Council. The Realty Division also supports individual Lummi tribal members in selling or buying trust lands by processing the paperwork and maintaining aspects of trust protection as needed by the particular transaction.

- **Land Leases**

The Realty Office oversees the leasing of Tribal and Tribal members' lands, again using processes and procedures defined in CFR 25. The Office also oversees the collection and in cooperation with the BIA, the distribution of the collected lease income to the proper owners of the leased properties.

Furthermore, the Realty Division assists Lummi tribal members in their efforts to lease their lands and assists the Tribal members in getting fair market value for land leases.

- **Surveys**

The Realty Division has limited funds for surveys and reserves those funds primarily for settling difficult problems, trespass issues, and Lummi government land acquisitions. The Division does provide minor survey services in locating property corners, boundaries, and legal descriptions for Lummi tribal members.

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