

Date Received at Kawerak LMS:

Date Received at BIA Realty Office:

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

**Application for the Negotiated Sale of Restricted Native Land**

Restricted Native Land Owner: \_\_\_\_\_

Original Owner ( )      Inherited Interest Owner ( )

Owner Document Type: Original Deed ( ) Will ( ) Probate Order ( )

Buyer's Name, Relationship to You, Address, and Phone Number \_\_\_\_\_

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

Legal Description of Native Land to be Negotiated for Sale \_\_\_\_\_

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

**In justification of this application, true statements are made to the following items:**

1. Age \_\_\_\_\_

2. Date of Birth \_\_\_\_\_

3. Degree of Native Blood \_\_\_\_\_

4. Married\*      Single\*      Separated\*      Divorced\*      Widow\*      Widower\*

5. Education Years:      Elementary \_\_\_\_\_ High School \_\_\_\_\_ College \_\_\_\_\_

6. The following persons are dependent upon me for support (Give name, ages and relationship)

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

\*Please circle one that applies to you.

7. Please identify the tribal organization you receive services from: \_\_\_\_\_

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8. Your Permanent Address: \_\_\_\_\_

\_\_\_\_\_

9. Phone Number LMS can reach you at (Please include area code) \_\_\_\_\_

Email address: \_\_\_\_\_

10. If indebted to the United States, state amount and purpose of indebtedness (If not, state none): \_\_\_\_\_

11. Are there any current encumbrances to the land you intend to sell?

Leases (state type, length, rent received and to whom, or write none) \_\_\_\_\_

\_\_\_\_\_

Other (Please explain, or write none:) \_\_\_\_\_

12. I (do) (do not)\* make personal use of this land covered by this application.

I authorize the negotiated sale of the land heretofore described and hereby agree that the proceeds arising from the negotiated sale of this land may be disposed of in accordance with regulations prescribed the Secretary of the Interior.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

I hereby certify that I have investigated this request and that the effect of this application was explained to and fully understood by the applicant. I therefore recommend approval.

\_\_\_\_\_  
LMS Director

\_\_\_\_\_  
Date

The application is hereby approved and the request for Negotiated Sale is granted.

\_\_\_\_\_  
Area Director

\_\_\_\_\_  
Date

\*Please circle one that applies to you.

## D. NEGOTIATED SALES INFORMATIONAL SHEET FOR NATIVE LANDOWNERS OF RESTRICTED PROPERTY

You can sell all or part of your restricted land or inherited undivided interest of your land, and when you already have a buyer, you can do so by Negotiated Sale. Once the sale is approved, you cannot change your mind, you will no longer own the land or have any control over it.

The sale can be done by you signing an Application for Negotiated Sale of Restricted Land (enclosed) and you writing a letter to us indicating your interest to sell. Also, provide the name, address and phone number of the person to whom you are selling.

If you own an undivided interest in the land, it means there are other owners and all of you must agree to your application to sell.

When we receive your application and the letter, a Realty Specialist will be assigned to you, who will explain the sale process, options available to you and assist you in completing the necessary documents. Be to sure read all the documents carefully and ask questions about any part of the sale process that you do not understand. The person you are selling to will also be counseled and if he/she is buying your land and is keeping it in restricted status, then he/she will be required to submit proof of Alaska Native blood.

The Realty Specialist will prepare a legal description, and after the land is described, the Realty Specialist will send forms to four different BIA offices requesting their services, of which will be no cost to you:

1. Appraisal Request: An appraiser will set an opinion of value of your land.
2. Archeological Inventory Request: An archeologist checks your land for any artifacts or historic sites. If either is found, then they must be investigated and protected.
3. Environmental Assessment Request: This determines if any change in land use will impact the environment. If there is a change in land use, then the Realty Specialist will submit the appropriate NEPA document to the BIA Environmental Scientist for review and approval.
4. Timber Clearance or Permit Request (if applicable): This is needed if there are any trees

that will be cut down or damaged as a result of the gift deed.

After the Realty Specialist has received the Appraisal Report, you will be contacted for another phase of counseling. After being informed of the value of your land and you still wish to continue with the sale process, the Realty Specialist will prepare the sale documents for your signature. BIA approves your sale only when you receive fair market value or higher, and, if you listed your land with a real estate agent, then an offer must include the realtor's commission.

The sale of your land can interfere with you receiving any income-based public assistance such as AFDC, food stamps, Adult Public Assistance, Supplemental Social Security, etc., because the sale can disqualify you for each dollar amount you receive from the sale.

To manage your money throughout the sale process and after the sale, the Realty Specialist will assist you in setting up an IIM Account with the Office of Special Trustee, whereby you may withdraw all, part, or leave the money in the account after the sale.

When the other reports are received and everything is in order, the Realty Specialist will submit the sale documents to BIA for approval and then record them in the Alaska Probate and Title Services Center and the State of Alaska Recorders office. After which, a letter will be mailed to both of you saying the deed is proof of ownership and must be kept in a safe place.

If the person you are selling to is non-Native, then restrictions cannot be retained and the Realty Service Provider will not provide further services.

Please keep in mind that the above described sale process can take anywhere from six months to one year.

For questions, you may contact the Realty Specialist at:

Kawerak, Inc. Land Management Services  
P.O. Box 948  
Nome, Alaska 99762