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TO THE . . . CODE OF FEDERAL REGULATIONS

Title 25—Indians

AS OF JANUARY 1 1962

For changes on and after January 1, 1962, see the daily issues of the Federal Register

SUBCHAPTERS K–O—LANDS, SURFACE ESTATES AND RESOURCES

SUBCHAPTER K—PATENTS, ALLOTMENTS AND SALES

PART 120—LAND RECORDS AND TITLE DOCUMENTS [ADDED]

§ 120.1 Maintenance of land records and title documents.

The area offices of the Bureau of Indian Affairs will be the office for the maintenance of records of the Department for trust or restricted Indian lands within Indian reservations under the jurisdiction of the respective area offices. At the time such an area office is ready to undertake the maintenance of such records as to any reservation, the Secretary of the Interior shall cause to be transferred from Washington to such office all the records and title documents pertaining to trust or restricted lands on such reservation. Upon such transfer of records to the appropriate area office, the Secretary of the Interior shall have a notice published in the FEDERAL REGISTER of such action setting forth the effective date thereof. Thereafter, the custody and maintenance of land records and title documents as to such reservation will rest with the area office. Also, after such transfer, all documents which affect the title to trust or restricted Indian-owned lands, or interests therein, within such reservation shall be submitted to the area office for recording.

(R.S. 161, 5 U.S.C. 22) [26 F.R. 9042, Sept. 26, 1961]

PART 121—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS

PATENTS IN FEE

Sec.
121.2 Issuance of patents in fee. [Amended]
121.2a Information regarding status of applications for patents in fee. [Added]

SALES AND EXCHANGES OF INDIVIDUALLY OWNED TRUST OR RESTRICTED LAND, EXCLUSIVE OF FIVE CIVILIZED TRIBES LAND [REVISED]

121.9 Authority.
121.10 Statutory prohibitions.
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121.15 Action at close of bidding.
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REMOVAL OF RESTRICTIONS AND SALE OF LANDS, FIVE CIVILIZED TRIBES AND RE-INVESTMENT OF FUNDS IN NONTAXABLE LANDS

121.33 Applicability of other sections. [Added]
121.35 Removal of restrictions, unconditionally. [Revised]
121.36 Removal of restrictions, conditionally. [Revised]

REMOVAL OF RESTRICTIONS, FIVE CIVILIZED TRIBES [ADDED]

121.51 Removal of restrictions.
121.52 Effect of order.
121.53 Factors to be considered.
121.54 Notice of intent to issue order.
121.55 Issuance of order.
121.56 Appeals from decision to issue order.
121.57 Judicial review.

MORTGAGES AND DEEDS OF TRUST TO SECURE LOANS TO INDIANS

121.61 Approval of mortgages and deeds of trust. [Redesignated; revised]

PATENTS IN FEE

§ 121.2 Issuance of patents in fee.

(a) The Secretary of the Interior may, in his discretion, and pursuant to the Acts of February 8, 1887, as amended (24 Stat. 388, as amended; 25 U.S.C. 349); June 25, 1910, as amended (36 Stat. 855, as amended; 25 U.S.C. 372); and May 14, 1948 (62 Stat. 236; 25 U.S.C. 483), and pursuant to other authorizing Acts, issue patents in fee to Indians applying therefor in accordance with § 121.1. A patent in fee will be issued pursuant to this paragraph if it is determined that the applicant is competent and capable of managing his or her own affairs. At the time of the issuance of a patent in fee, an inventory of the estate covered thereby shall be delivered to the patentee. If an application is denied, the applicant shall be so notified in writing.

[Paragraph (a) amended at 24 F.R. 7100, Sept. 2, 1959]

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§ 121.2a Information regarding status of applications for patents in fee.

The status of applications by Indians for patents in fee shall be disclosed to employees of the Department whose duties require that such information be disclosed to them and to the applicant, or his attorney, upon request. This information will also be made available to members of Congress who present requests therefor from the applicant. Such information will be made available to all other persons, upon request, fifteen (15) days after the fee patent has been issued by the Bureau of Land Management, or after the application has been rejected and the applicant notified, if such be the case.

[25 F.R. 7264, July 30, 1960]

Prior Amendments

1959: 24 F.R. 5020, June 20.

SALES AND EXCHANGES OF INDIVIDUALLY OWNED TRUST OR RESTRICTED LAND, EXCLUSIVE OF FIVE CIVILIZED TRIBES LAND [REVISED]

SOURCE: §§ 121.9 to 121.22 appear at 24 F.R. 7100, Sept. 2, 1959.

NOTE: §§ 121.9 to 121.22 supersede former §§ 121.9 to 121.31.