

Committee: Resource
Date: 2-02-07 Committee Date: 2-12-07

Author: Linda Donelson
Sponsor: Jackie Bob Martin

RESOLUTION NO. 30-07

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY OVER TRIBAL TRUST LAND IN ADAIR COUNTY KNOWN AS CMS-32 BETWEEN CHEROKEE NATION AND FRED AND RONDA HOLTZ, FOR ACCESS

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

WHEREAS, the Cherokee Nation a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, Fred and Ronda Holtz, 12 W Oak, Stilwell, Oklahoma 74960 desire permission for a Grant of Easement for Right-of-Way over Cherokee Nation Tribal Trust land, part of Tribal Unit CMS-32, this easement will be for access over, in, upon and across a portion of the NE¼ of Section 18, Township 15 North, Range 25 East, Adair County, Oklahoma. A survey of the land has been provided by the applicant;

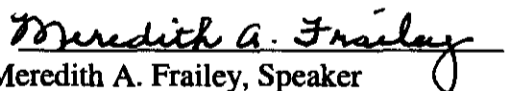
WHEREAS, Cherokee Nation will use appraised value for compensation and the applicant will pay said value for the easement, as it is an existing driveway and has been so since the 1950's;

WHEREAS, 25 CFR § 169 states agreement shall be executed by and between the tribe or legally authorized occupant and the applicant before any work by the applicant may be undertaken for the construction of a Right of Way Easement across tribal land.

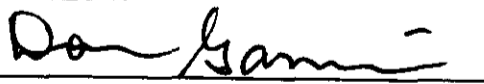
BE IT RESOLVED BY THE CHEROKEE NATION, that the person(s) authorized to sign required documents necessary to execute said Right of Way Easement be Chad Smith, Principal Chief of the Cherokee Nation, and/or his authorized designee(s).

CERTIFICATION

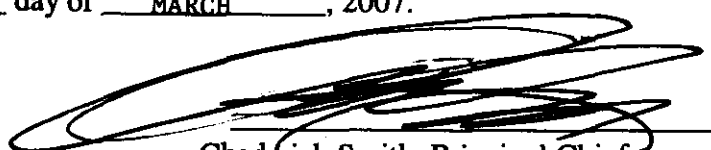
The foregoing resolution was adopted by the council of the Cherokee Nation at a duly called meeting on the 12th day of March, 2007, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation


ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved this 19th day of MARCH, 2007.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation