

RESOLUTION NO. 104-09

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY OVER, IN, UPON & ACROSS USA IN TRUST LAND IN MAYES COUNTY BETWEEN CHEROKEE NATION AND KAMO ELECTRIC COOPERATIVE INC. FOR AN ELECTRICAL LINE EASEMENT

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

WHEREAS, KAMO Electric Cooperative, Inc., PO Box 577, Vinita, Oklahoma 74301-0577 desires permission to install and Electrical Transmission line over, in, upon and across Cherokee Nation Tribal Trust land, the electrical easement is more particularly described as:

Tract NO. OK-MA A: The easement herein granted will be 150 wide and lie 75 feet each side of the following described centerline (sidelines are lengthened or shortened as required to end on grantors boundary) - Commencing at the Northeast corner of Section 11, Township 20 North, Range 19 East, Mayes County, Oklahoma: thence S88°09'16"W along the North line of said Section 11 a distance of 2719.21 feet to the proposed centerline and point of beginning; thence S08°36'33"E 3869.18 feet along the proposed centerline to a point of deflection; thence S64°45'44"E 334.89 feet more or less to the grantors boundary and terminus point. 14.80 acres more or less,

Also

Guying tract: Commencing at the point of deflection of said centerline; thence N08°36'33"W, 106.45 feet; thence N64°45'44"E 78.27 feet to the point of beginning of said guying tract; thence continuing N64°45'44"E, 150.29 feet; thence S08°36'33"E, 334.43 feet; thence S08°26'04"W, 323.44 feet; thence N08°36'33"W, 14.18 feet; thence N64°45'44"E, 184.73 feet; thence N08°36'33"W, 184.72 feet to the terminus point of said guying tract. 1.20 acres more or less, guying tract;


WHEREAS, Compensation to Cherokee Nation will be the appraised value, this Electrical line will service Tribal members living in Mayes County as well as Tribal Members living in Cherokee Heights located on USA in Trust Land for the Cherokee Nation;

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 19th day of October, 2009, 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

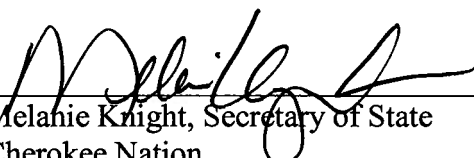
ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 21st day of October, 2009.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

Cherokee Nation Act /Resolution Proposal Form

Act

Resolution

Administrative Clearance

Program/Project Manager

Signature/Initial _____ Date _____

Department Director:

Linda Donelson 8/28/09
Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Controller: (if Needed)

Signature/Initial _____ Date _____

Government Resources Dept:

Shelley Brittain 9/1/09
Signature/Initial _____ Date _____

Administration Approval:

Signature/Initial _____ Date _____

TITLE: AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY OVER, IN, UPON & ACROSS USA IN TRUST LAND IN MAYES COUNTY BETWEEN CHEROKEE NATION AND KAMO ELECTRIC COOPERATIVE INC. FOR AN ELECTRICAL LINE EASEMENT

DEPARTMENT CONTACT: LINDA DONELSON

RESOLUTION PRESENTER: LINDA DONELSON

SPONSOR: MEREDITH FRAILEY

NARRATIVE:

The request set forth in the attached resolution is a Grant of Easement for Right of Way across Cherokee Nation Tribal Trust land for authorization of an Electrical Transmission Line. The transmission line will benefit Tribal members living on Cherokee Nation Tribal land known as Cherokee Heights as well as tribal members in Mayes County. The easement will be located in Section 11, T20N, R19E, Mayes County

IF FURTHER INFORMATION IS NEEDED, PLEASE CONTACT LINDA DONELSON, REAL ESTATE SERVICES DIRECTOR, AT 453-5236 OR JOEL BEAN AT 207-3967.

Legislative Clearance

Legislative Aide:

Shelley Brittain 9/1/09
Signature/Initial _____ Date _____

Standing Committee:

Resource

9-14-09

Next Meeting Date

Chairperson:

Shelley
Signature/Initial _____ Date _____

Returned to Presenter: _____

Date

09-01-09P02:50 RCVD