

Committee: Resources  
Date: 07-02-08 Committee Date: 07-14-08

Author: Linda Donelson  
Sponsor: Councilor Joe Crittenden

**RESOLUTION NO. 68-08**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT-OF-WAY OVER, ACROSS, IN AND UPON USA IN TRUST LAND FOR THE CHEROKEE NATION LOCATED IN ADAIR COUNTY, OKLAHOMA, BEING PART OF CMS TRIBAL UNIT 39A**

**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**, Vonnie Jones, Rt. 5 Box 4840, Stilwell, Oklahoma 74960 desires permission for a Grant of Easement for Right-of-Way over Cherokee Nation Tribal Trust land, part of CMS Tribal Unit 39A, the easement will be for access over, across, in and upon part of the NW<sup>1</sup>/<sub>4</sub> of Section 8, Township 14 North, Range 26 East, Adair County, Oklahoma. A survey of the easement will be provided by the applicant;

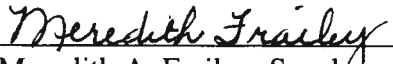
**WHEREAS**, Cherokee Nation request that the appraised value of the easement be the amount of compensation;

**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 11<sup>th</sup> day of August, 2008, 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:**

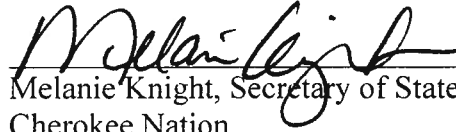
  
Don Garvin, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 15th day of August, 2008.



Chadwick Smith, Principal Chief  
Cherokee Nation

**ATTEST:**



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Melanie Knight, Secretary of State  
Cherokee Nation

## Cherokee Nation Act /Resolution Proposal Form

Act

Resolution

**TITLE: A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT-OF-WAY OVER, ACROSS, IN AND UPON USA IN TRSUT LAND FOR THE CHEROKEE NATION LOCATED IN ADAIR COUNTY OKLAHOMA BEING PART OF CMS TRIBAL UNIT 39A**

DEPARTMENT CONTACT: LINDA DONELSON

RESOLUTION PRESENTER: LINDA DONELSON

SPONSOR: JOE CRITTENDEN

### NARRATIVE:

The request set forth in the attached resolution is for an access easement for the Vonnie Jones.

The attached resolution authorizes an access easement located on USA in Trust land for the Cherokee Nation aka Cherokee Nation CMS Tribal Unit 39A being part of the NW¼ of Section 8, Township 14 North, Range 26 East, Adair County, Oklahoma.

This resolution will provide driveway access to Vonnie Jones. Cherokee Nation waives compensation for the driveway has been in existence for over 40 years.

If further information is needed, please contact Linda Donelson, Director Real Estate Services, at 453-5236 or Joel Bean, Realty Specialist, at 207-3697.

### Administrative Clearance

Program/Project Manager

Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Department Director:

*Linda Donelson* 6/30/08  
Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Executive Director:

Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Controller: (If Needed)

Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Government Resources Dept:

*Vita Mays* 7/2/08  
Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Administration Approval:

Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

### Legislative Clearance

Legislative Aide:

*Brittain* 7/2/08  
Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Standing Committee:

*Resource*

*7/14/08*

Next Meeting Date

Chairperson:

*Sill*  
Signature/Initial \_\_\_\_\_ Date \_\_\_\_\_

Returned to Presenter: \_\_\_\_\_

Date

06-30-08P04:07 RCVD  
G.R.  
*Ym*