

RESOLUTION NO. 30-17

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING THE RENEWAL OF A GRANT OF EASEMENT FOR RIGHT OF WAY ON AN EXISTING NATURAL GAS LINE TO THE OKLAHOMA NATURAL GAS COMPANY (ONG) FOR THE CHEROKEE HEIGHTS ADDITION (TRIBAL HOUSING PROJECT 45-16) PRYOR OK, MAYES COUNTY

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, the Oklahoma Natural Gas Company, a Division of ONE Gas, Inc., (ONG) whose address is 15 East 5th Street, Tulsa OK 74103 requests the renewal of an existing Natural Gas Line Easement across USA in Trust land for the Cherokee Nation located in the NE¼ of Section 11, Township 20 North, Range 19 East, Mayes County, Oklahoma. The complete legal description can be found on the attached survey.

WHEREAS, the natural gas line easement will be for a term of twenty (20) years, beginning on the date of approval by the Bureau of Indian Affairs. The easement will continue to supply natural gas to the Cherokee Heights Addition (Tribal Housing Project 45-16). The current natural gas line has been in place for approximately 50 years, and is operated and maintained by Oklahoma Natural Gas Company. There will be no changes in size, type, location, or changes of any kind to this existing pipeline. The easement is set to expire on January 31, 2018, compensation for the easement will be \$1.00.

WHEREAS, The Cherokee Nation requests a Waiver of Valuation pursuant to *Title 25 CFR §162.420(a)* the Cherokee Nation has determined that:

1. Cherokee Nation has negotiated compensation satisfactory to the Tribe.
2. Cherokee Nation waives valuation; and
3. Cherokee Nation has determined that accepting such negotiated compensation and waiving valuation is in the best interest of the tribe.

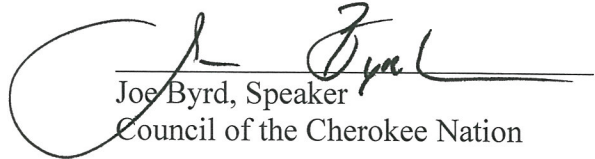
WHEREAS, The Cherokee Nation requests a Waiver of Bond pursuant to *Title 25 CFR §162.434(g)* Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe.

WHEREAS, The Cherokee Nation believes that not having a Compensation Review or adjustment is in the best interest of the tribe pursuant to *Title 25 CFR §162.428(a)*.

BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of Cherokee Nation, Bill John Baker, and/or his authorized designee(s) be authorized to enter into the above described easement, with the appraisal and bond being waived, in accordance with Bureau of Indian Affairs policy and procedure for the granting of rights-of-way on land owned by the United States of America in Trust for Cherokee Nation.

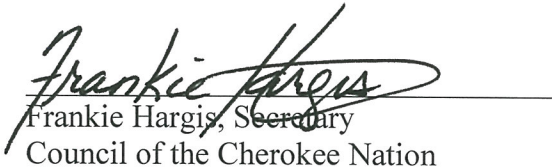
CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 15th day of May, 2017, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.



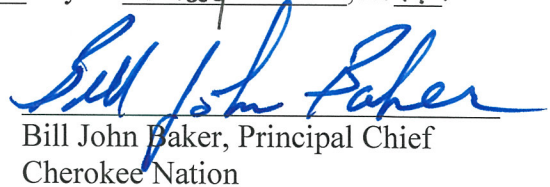
Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:



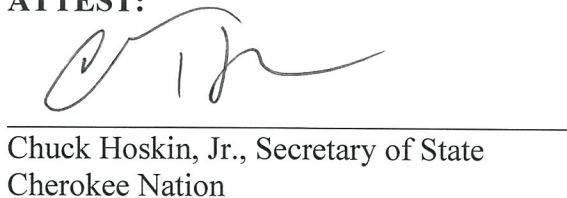
Frankie Hargis, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of May, 2017.



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

STATE OF OKLAHOMA
COUNTY OF TULSA ss.

M. J. Peterson, being duly sworn, says he is the chief engineer of the 2-inch gas pipeline of the Oklahoma Natural Gas Company; that the location of the line of route of said line beginning at a point 281.5 feet east of the northwest corner of the NE/4 of Section 11, T20N, R19E, Mayes County, Oklahoma; running thence S.5°50'E. a distance of 1682.5 feet; thence S. 37°32'E. a distance 233.9 feet; thence S.45°53'E. a distance of 498.6 feet; thence S. 58°23'E. a distance of 188.7 feet; thence S.66°40'E. a distance of 209.3 feet to a point 2384.9 feet south and 1335.1 feet east of the northwest corner of the NE/4 of said Section 11, a distance of 0.53 miles, was made by him or under his direction as surveyor employed by the company and under its authority on the 9th day of November, 1967, and that such survey is accurately represented on the accompanying map. The width of right-of-way for said pipeline is to be 20 feet centered on the above described line of route.

Sworn and subscribed to before me this 11th day of December, 1967.

M. J. Peterson
Chief Engineer of
Oklahoma Natural Gas Company

John J. Peterson
Notary Public

My commission expires on October 23, 1971.

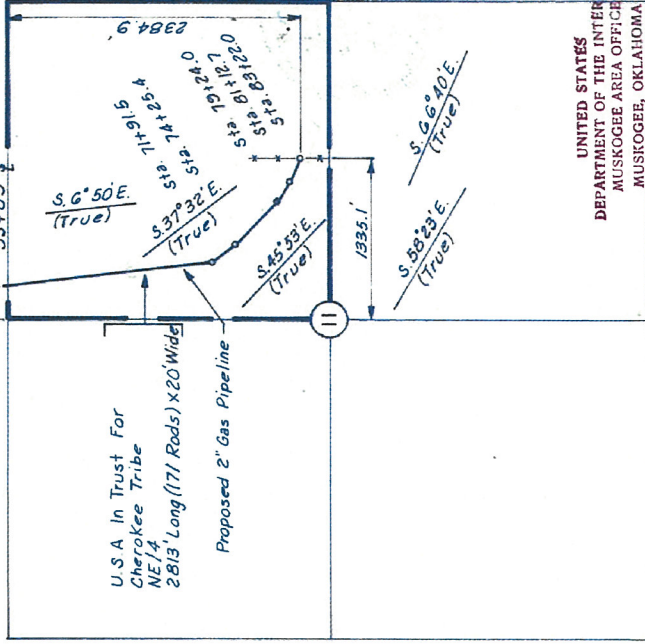
I, P. K. Wallace, do hereby certify that I am a vice president of the Oklahoma Natural Gas Company; that M. J. Peterson, who subscribed the foregoing affidavit, was employed to make the survey by the said company; that the survey of line of route of the company's line, as accurately represented on the accompanying map, was made under authority of the company; that the said line of route so surveyed and as represented in the said map was adopted by the company as the definite location of the 2-inch gas pipeline beginning at a point 281.5 feet east of the northwest corner of the NE/4 of Section 11, T20N, R19E, Mayes County, Oklahoma; running thence S.6°50'E. a distance of 1682.5 feet; thence S.37°32'E. a distance of 233.9 feet; thence S.45°53'E. a distance of 498.6 feet; thence S.58°23'E. a distance of 188.7 feet; thence S.66°40'E. a distance of 209.3 feet to a point 2384.9 feet south and 1335.1 feet east of the northwest corner of the NE/4 of said Section 11, a distance of 0.53 miles; and that the map has been prepared to be filed for the approval of the Secretary of the Interior, in order that the company may obtain the benefits of the act of Congress approved February 5, 1948 (62 Stat. 17-18), entitled "An Act to empower the Secretary of the Interior to grant rights-of-way for various purposes across lands of individual Indians or Indian tribes, communities, bands or nations."

P. K. Wallace
Vice President of
Oklahoma Natural Gas Company

R. L. Smith
Assistant Secretary

MAYES COUNTY

R 19 E



UNITED STATES
DEPARTMENT OF THE INTERIOR
MUSKOGEE AREA OFFICE
MUSKOGEE, OKLAHOMA

Approved for a period of 50 years from pursuant to the provisions of the Act of Feb. 5, 1948 (62 Stat. 17, 18), and Departmental Regulations 25 CFR 161, as amended, subject to any prior valid existing right or adverse claim.

JAN 31 1968

Date: Meeting Area Director

OKLAHOMA NATURAL GAS COMPANY

PROPOSED 2" WELDED GAS PIPELINE
CROSSING NE/4 SEC. 11, T20N, R19E
MAYES COUNTY, OKLAHOMA
CHEROKEE TRIBAL LAND

PRINTS ISSUED

REVISED	DATE	BY	ITEM	DATE	NO.	TO

SURVEY	C. A. B.	F. B.	F.
DESIGNED		DATE	12-9-67
DRAWN	C. E. C.	SCALE	1" = 1000'
CHECKED	S. M. G.	J.O. NO.	515-10-16
DRG. NO.		FILE	1
			OF

Administrative Clearance

Program/Project Manager

Signature/Initial _____ Date _____

Department Director:

[Signature] 3/28/17
Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Controller: (If Needed)

Signature/Initial _____ Date _____

Government Resources Dept:

Signature/Initial _____ Date _____

Administration Approval:

[Signature] 3/30/17
Signature/Initial _____ Date _____

Legislative Clearance

Legislative Aide:

[Signature] 3/29/17
Signature/Initial _____ Date _____

Standing Committee:

Resource

4-10-17

Next Meeting Date

Chairperson:

[Signature]
Signature/Initial _____ Date _____

Returned to Presenter: _____

Date

**Cherokee Nation
Act /Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Authorizing the Renewal of a Grant of Easement for Right of Way on an existing Natural Gas line to the Oklahoma Natural Gas Company (ONG) for the Cherokee Heights Addition (Tribal Housing Project 45-16) Pryor OK, Mayes County.

DEPARTMENT CONTACT: GINGER REEVES

RESOLUTION PRESENTER: GINGER REEVES

SPONSOR: JANEES TAYLOR

NARRATIVE:

The request set forth in the attached resolution is for the renewal of an existing Natural Gas pipeline that will continue to service the Cherokee Heights Addition (Tribal Housing Project 45-16) in Pryor OK, Mayes County. The easement will expire January 31, 2018 and the Oklahoma Natural Gas Company requests a renewal. The term of the easement will be for 20 years upon approval of the BIA. Cherokee Nation also requests to waive the bond and appraisal as the easement supplies natural gas to a Cherokee Nation Tribal Housing Addition and no changes of any kind will be made to this existing pipeline. Compensation for the easement will be \$1.00.

03-29-17P01:14 RCVD

IF FURTHER INFORMATION IS NEEDED, PLEASE CONTACT GINGER REEVES, REAL ESTATE SERVICES DIRECTOR, EXT. 5675 OR JOEL BEAN, REALTY SPECIALIST III, EXT. 3697