

RESOLUTION NO. 33-14

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT-OF-WAY ACROSS CHEROKEE NATION TRIBAL TRUST LAND (CMS-2 & CMS-3) TO JAMEY CROLEY AND JEREMY CROLEY ROW TAH-316, 317 AND 318

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, Jamey Croley and Jeremy Croley, Cherokee Tribal Citizens, desire a 15 foot temporary access easement across and existing roadway located on Cherokee Nation Tribal Trust lands for a term of 30 years, non-assignable, if the property is transferred the easement shall be immediately terminated and reverts back to the tribe.

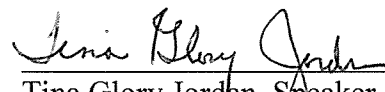
WHEREAS, the Cherokee Nation will base compensation off of a fair market appraisal for the existing access road, no construction will be necessary, both applicants are tribal citizens.

WHEREAS, 25 CFR 169 states an 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 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 Bill John Baker, Principal Chief of the Cherokee Nation, and/or his authorized designee(s).

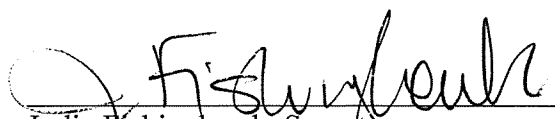
CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 12th day of May, 2014, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.



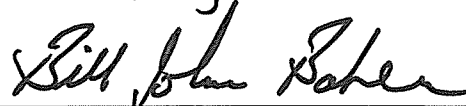
Tina Glory Jordan, Speaker
Council of the Cherokee Nation

ATTEST:



Jodie Fishinghawk, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of May, 2014.

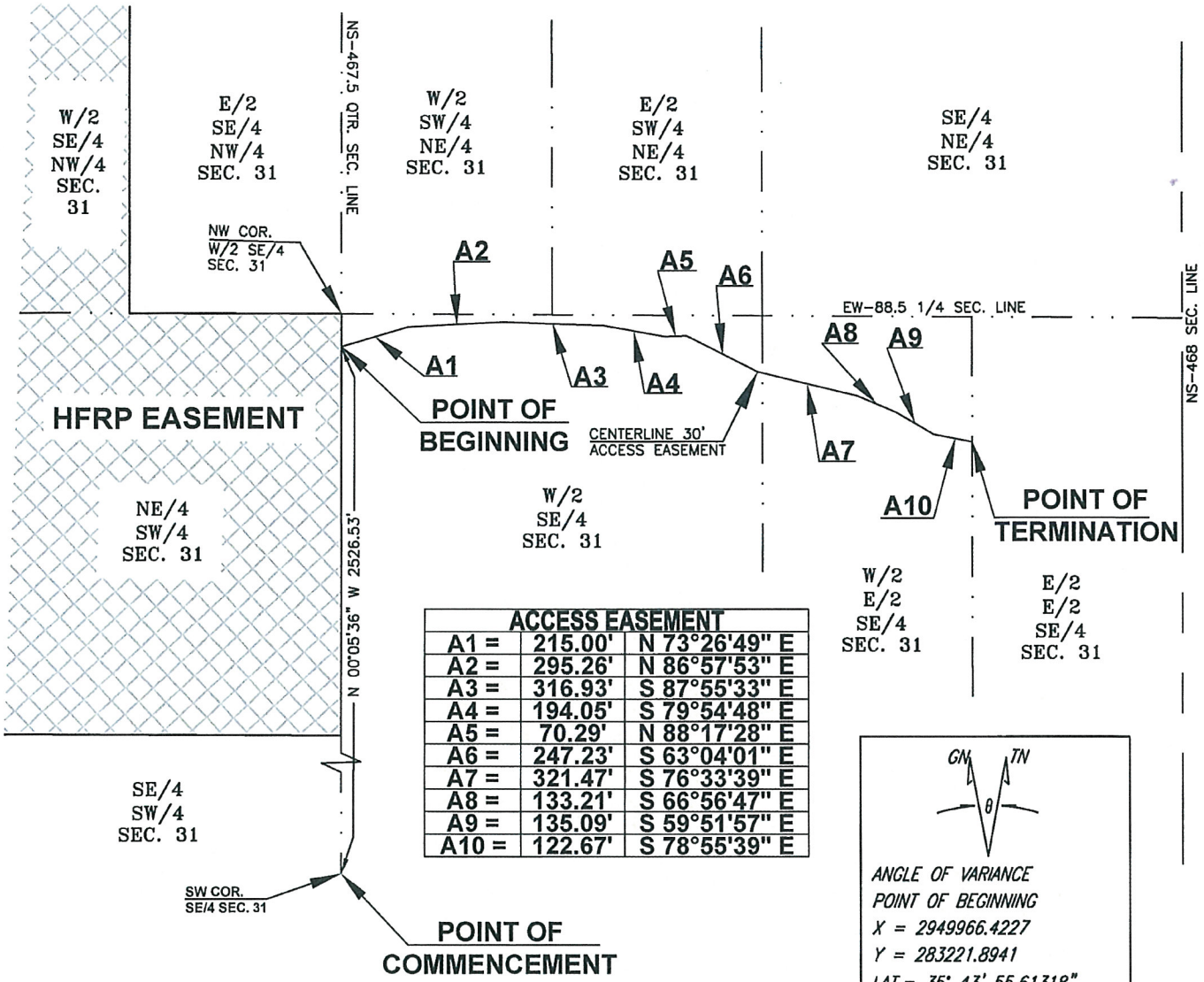


Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin Jr., Secretary of State
Cherokee Nation



ACCESS EASEMENT		
A1 =	215.00'	N 73°26'49" E
A2 =	295.26'	N 86°57'53" E
A3 =	316.93'	S 87°55'33" E
A4 =	194.05'	S 79°54'48" E
A5 =	70.29'	N 88°17'28" E
A6 =	247.23'	S 63°04'01" E
A7 =	321.47'	S 76°33'39" E
A8 =	133.21'	S 66°56'47" E
A9 =	135.09'	S 59°51'57" E
A10 =	122.67'	S 78°55'39" E

ANGLE OF VARIANCE
 POINT OF BEGINNING
 X = 2949966.4227
 Y = 283221.8941
 LAT. = 35° 43' 55.61318"
 LONG. = 94° 41' 33.17954"
 θ = 01° 57' 06.77523"

ACCESS EASEMENT

A STRIP, PIECE, OR PARCEL OF LAND FOR INGRESS AND EGRESS PURPOSES LYING WITHIN SECTION THIRTY-ONE (31), TOWNSHIP FIFTEEN (15) NORTH, RANGE TWENTY-FIVE (25) EAST OF THE INDIAN MERIDIAN, ADAIR COUNTY, OKLAHOMA. SAID STRIP OF LAND RUNNING ALONG AN EXISTING TRAIL ROAD AND BEING 30.00 FEET IN WIDTH AND LYING FIFTEEN 15.00 FEET ON BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

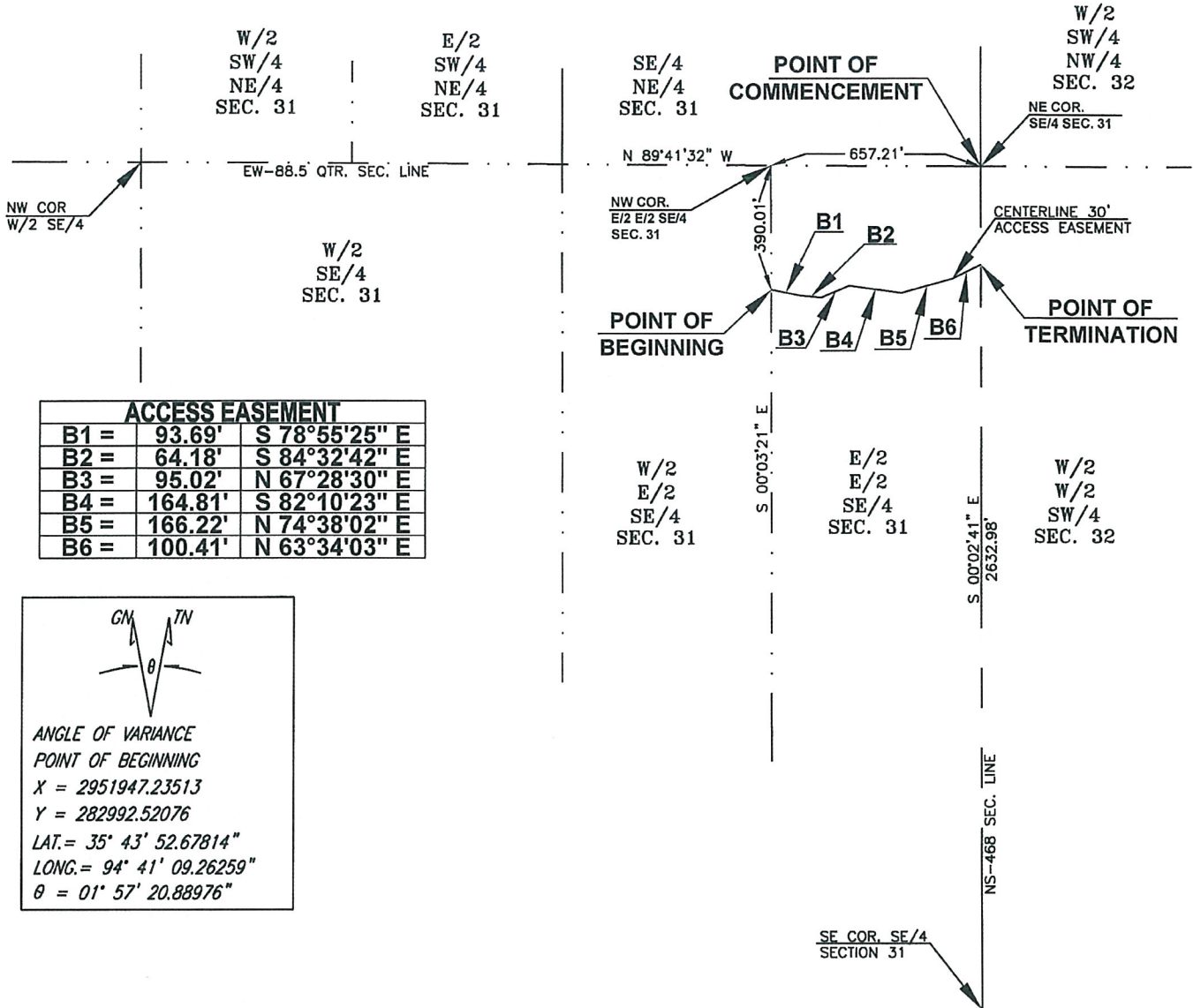
COMMENCING AT THE SOUTHWEST CORNER OF THE OF THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-ONE (31); THENCE N 00°05'36" W ON THE WEST LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 2,526.53 FEET TO A POINT ON THE CENTERLINE OF SAID EXISTING TRAIL ROAD, SAID POINT BEING THE POINT OR PLACE OF BEGINNING; THENCE ALONG THE CENTERLINE OF SAID EXISTING TRAIL ROAD THE FOLLOWING DISTANCES AND BEARINGS:

N 73°26'49" E A DISTANCE OF 215.00 FEET;
 N 86°57'53" E A DISTANCE OF 295.26 FEET;
 S 87°55'33" E A DISTANCE OF 316.93 FEET;
 S 79°54'48" E A DISTANCE OF 194.05 FEET;
 N 88°17'28" E A DISTANCE OF 70.29 FEET;
 S 63°04'01" E A DISTANCE OF 247.23 FEET;
 S 76°33'39" E A DISTANCE OF 321.47 FEET;
 S 66°56'47" E A DISTANCE OF 133.21 FEET;
 S 59°51'57" E A DISTANCE OF 135.09 FEET;
 S 78°55'39" E A DISTANCE OF 122.67 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF SAID SOUTHEAST QUARTER (W/2 E/2 SE/4), SAID POINT BEING THE POINT OR PLACE OF TERMINATION;
 CONTAINING 1.41 ACRES, MORE OR LESS.

AFFIDAVIT OF SURVEYOR
 I, TANNER J. WENTWORTH, OKLAHOMA REGISTERED PROFESSIONAL LAND SURVEYOR R.P.L.S. NO. 1871, DO HEREBY CERTIFY THAT THE ABOVE PLAT FOR PROPOSED ACCESS EASEMENT WAS SURVEYED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Tanner J. Wentworth
 TANNER J. WENTWORTH
 PROFESSIONAL LAND SURVEYOR #1871





ACCESS EASEMENT		
B1 =	93.69'	S 78°55'25" E
B2 =	64.18'	S 84°32'42" E
B3 =	95.02'	N 67°28'30" E
B4 =	164.81'	S 82°10'23" E
B5 =	166.22'	N 74°38'02" E
B6 =	100.41'	N 63°34'03" E

ANGLE OF VARIANCE
 POINT OF BEGINNING
 X = 2951947.23513
 Y = 282992.52076
 LAT. = 35° 43' 52.67814"
 LONG. = 94° 41' 09.26259"
 θ = 01° 57' 20.88976"

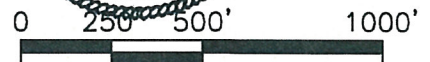
ACCESS EASEMENT

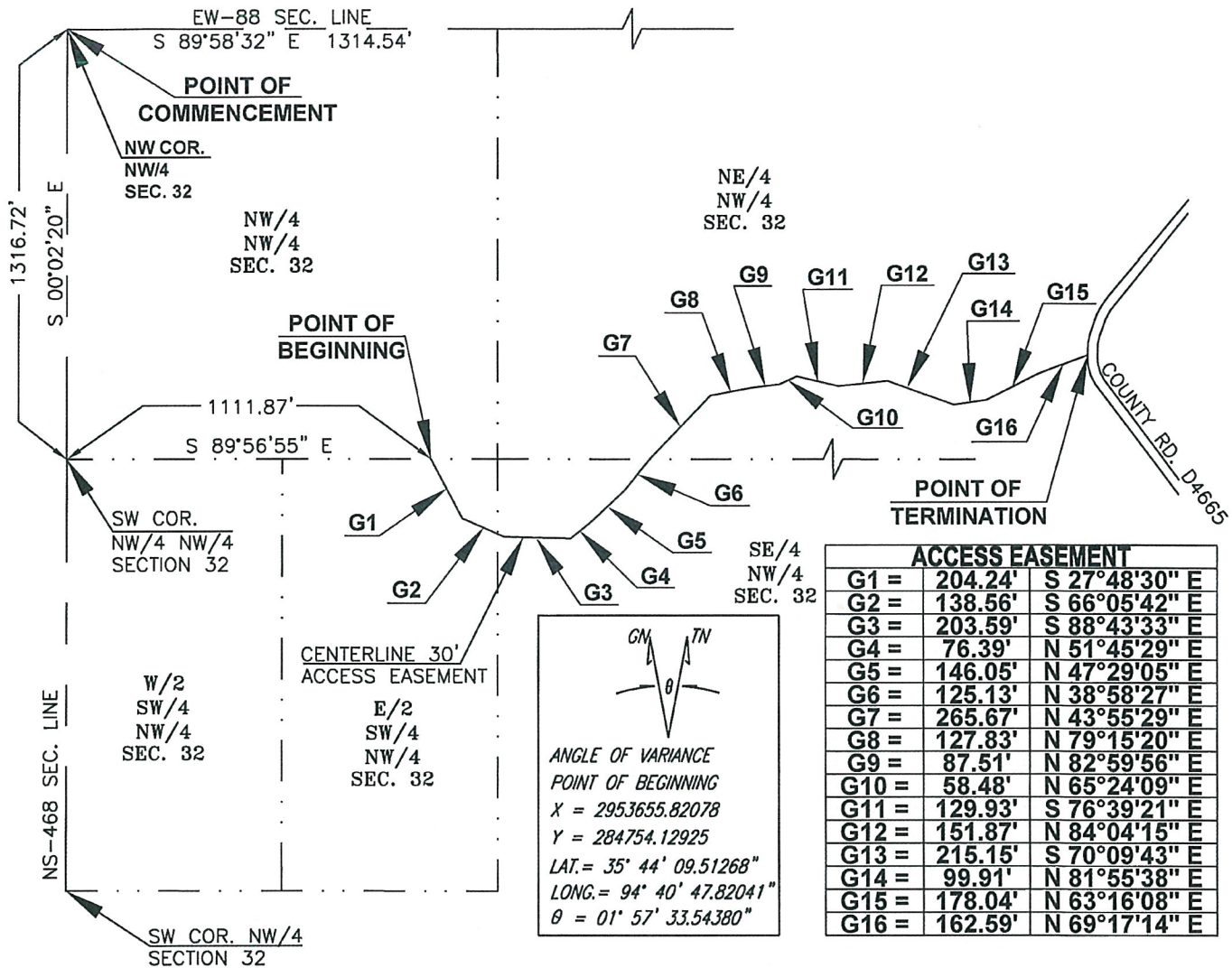
A STRIP, PIECE, OR PARCEL OF LAND FOR INGRESS AND EGRESS PURPOSES LYING WITHIN SECTION THIRTY-ONE (31), TOWNSHIP FIFTEEN (15) NORTH, RANGE TWENTY-FIVE (25) EAST OF THE INDIAN MERIDIAN, ADAIR COUNTY, OKLAHOMA, SAID STRIP OF LAND RUNNING ALONG AN EXISTING TRAIL ROAD AND BEING 30.00 FEET IN WIDTH AND LYING FIFTEEN 15.00 FEET ON BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-ONE (31);
 THENCE N 89°41'32" W ON THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 657.21 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF SAID SOUTHEAST QUARTER (E/2 E/2 SE/4);
 THENCE S 00°03'21" E ON THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF SAID SOUTHEAST QUARTER (E/2 E/2 SE/4) A DISTANCE OF 390.01 FEET TO A POINT ON THE CENTERLINE OF SAID EXISTING TRAIL ROAD, SAID POINT BEING THE POINT OR PLACE OF BEGINNING;
 THENCE ALONG THE CENTERLINE OF SAID EXISTING TRAIL ROAD THE FOLLOWING DISTANCES AND BEARINGS:
 S 78°55'25" E A DISTANCE OF 93.69 FEET;
 S 84°32'42" E A DISTANCE OF 64.18 FEET;
 N 67°28'30" E A DISTANCE OF 95.02 FEET;
 S 82°10'23" E A DISTANCE OF 164.81 FEET;
 N 74°38'02" E A DISTANCE OF 166.22 FEET;
 N 63°34'03" E A DISTANCE OF 100.41 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER (SE/4), SAID POINT BEING THE POINT OR PLACE OF TERMINATION;
 CONTAINING 0.47 ACRE, MORE OR LESS.

AFFIDAVIT OF SURVEYOR
 I, TANNER J. WENTWORTH, OKLAHOMA REGISTERED PROFESSIONAL LAND SURVEYOR R.P.L.S. NO. 1871,
 DO HEREBY CERTIFY THAT THE ABOVE PLAT FOR PROPOSED ACCESS EASEMENT WAS SURVEYED
 ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

TANNER J. WENTWORTH
 PROFESSIONAL LAND SURVEYOR #1871





ACCESS EASEMENT		
G1 =	204.24'	S 27°48'30" E
G2 =	138.56'	S 66°05'42" E
G3 =	203.59'	S 88°43'33" E
G4 =	76.39'	N 51°45'29" E
G5 =	146.05'	N 47°29'05" E
G6 =	125.13'	N 38°58'27" E
G7 =	265.67'	N 43°55'29" E
G8 =	127.83'	N 79°15'20" E
G9 =	87.51'	N 82°59'56" E
G10 =	58.48'	N 65°24'09" E
G11 =	129.93'	S 76°39'21" E
G12 =	151.87'	N 84°04'15" E
G13 =	215.15'	S 70°09'43" E
G14 =	99.91'	N 81°55'38" E
G15 =	178.04'	N 63°16'08" E
G16 =	162.59'	N 69°17'14" E

ANGLE OF VARIANCE
 POINT OF BEGINNING
 X = 295.3655.82078
 Y = 284754.12925
 LAT. = 35° 44' 09.51268"
 LONG. = 94° 40' 47.82041"
 θ = 01° 57' 33.54380"

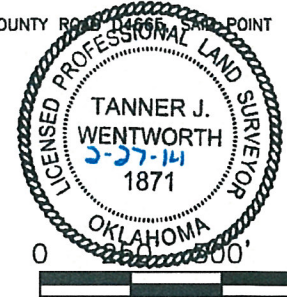
ACCESS EASEMENT

A STRIP, PIECE, OR PARCEL OF LAND FOR INGRESS AND EGRESS PURPOSES LYING WITHIN SECTION THIRTY-TWO (32), TOWNSHIP FIFTEEN (15) NORTH, RANGE TWENTY-FIVE (25) EAST OF THE INDIAN MERIDIAN, ADAIR COUNTY, OKLAHOMA. SAID STRIP OF LAND RUNNING ALONG AN EXISTING TRAIL ROAD AND BEING 30.00 FEET IN WIDTH AND LYING FIFTEEN 15.00 FEET ON BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-TWO (32);
 THENCE S 00°02'20" E ON THE WEST LINE OF SAID NORTHWEST QUARTER (NW/4) A DISTANCE OF 1,316.72 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER (NW/4 NW/4);
 THENCE S 89°56'55" E ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER (NW/4 NW/4) A DISTANCE OF 1,111.87 FEET TO A POINT ON THE CENTERLINE OF SAID EXISTING TRAIL ROAD, SAID POINT BEING THE POINT OR PLACE OF BEGINNING;
 THENCE ALONG THE CENTERLINE OF SAID EXISTING TRAIL ROAD THE FOLLOWING DISTANCES AND BEARINGS:
 S 27°48'30" E A DISTANCE OF 204.24 FEET;
 S 66°05'42" E A DISTANCE OF 138.56 FEET;
 S 88°43'33" E A DISTANCE OF 203.59 FEET;
 N 51°45'29" E A DISTANCE OF 76.39 FEET;
 N 47°29'05" E A DISTANCE OF 146.05 FEET;
 N 38°58'27" E A DISTANCE OF 125.13 FEET;
 N 43°55'29" E A DISTANCE OF 265.67 FEET;
 N 79°15'20" E A DISTANCE OF 127.83 FEET;
 N 82°59'56" E A DISTANCE OF 87.51 FEET;
 N 65°24'09" E A DISTANCE OF 58.48 FEET;
 S 76°39'21" E A DISTANCE OF 129.93 FEET;
 N 84°04'15" E A DISTANCE OF 151.87 FEET;
 S 70°09'43" E A DISTANCE OF 215.15 FEET;
 N 81°55'38" E A DISTANCE OF 99.91 FEET;
 N 63°16'08" E A DISTANCE OF 178.04 FEET;
 N 69°17'14" E A DISTANCE OF 162.59 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD D4665, SAID POINT BEING THE POINT OR PLACE OF TERMINATION;
 CONTAINING 1.63 ACRES, MORE OR LESS.

AFFIDAVIT OF SURVEYOR
 I, TANNER J. WENTWORTH, OKLAHOMA REGISTERED PROFESSIONAL LAND SURVEYOR R.P.L.S. NO. 1871, DO HEREBY CERTIFY THAT THE ABOVE PLAT FOR PROPOSED ACCESS EASEMENT WAS SURVEYED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

TANNER J. WENTWORTH
 PROFESSIONAL LAND SURVEYOR #1871



**ADMINISTRATIVE
CLEARANCE**

Dept/Program:

Ginger Brown 2/28/14
Signature/Initial Date

Executive Director:

Bruce Davis 2/28/14
Signature/Initial Date

Finance (if needed):

Signature/Initial Date

Government Resources:

Signature/Initial Date

Administration Approval:

AKR 3/3/14
Signature/Initial Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Brittan 2/28/14
Signature/Initial Date

Standing Committee & Date:

Resource 3/10/14

Chairperson:

Snell
Signature/Initial Date

Returned to Presenter:

**Cherokee Nation
Act/Resolution Proposal Form**

Act Resolution

TITLE: A Resolution Authorizing a Grant of Easement for Right-of-Way across Cherokee Nation Tribal Trust land (CMS-2 & CMS-3) to Jamie Croley and Jeremy Croley for ROW TAH-317, 318 & 319.

DEPARTMENT CONTACT: Real Estate Services

RESOLUTION PRESENTER: Ginger Brown

COUNCIL SPONSOR: Frankie Hargis

NARRATIVE:

The request set forth in the attached resolution is for a 30 year Temporary Easement across an existing road located on Cherokee Nation Tribal Trust land known as CMS-2 & CMS-3 to Jamie Croley and Jeremy Croley for a term of 30 years for ROW TAH-317, 318 & 319.