

RESOLUTION NO. 79-08

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 69

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, Elmer Fritch, Rt. 5 Box , 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 69, the easement will be for access over, across, in and upon part of Government Lot 2 of Section 31, Township 14 North, Range 26 East, Adair County, Oklahoma. A survey of the easement will be provided by the applicant;

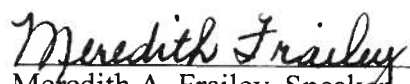
WHEREAS, Cherokee Nation waives compensation for the easement/driveway has been in existence for many years. This easement will be for 15 years or the lifetime of Elmer Fritch which ever may come first;

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 15th day of September, 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 19th day of September, 2008.



Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:



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 TRUST LAND FOR THE CHEROKEE NATION LOCATED IN ADAIR COUNTY OKLAHOMA BEING PART OF CMS TRIBAL UNIT 69

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 Elmer Fritch.

The attached resolution authorizes an access easement located on USA in Trust land for the Cherokee Nation aka Cherokee Nation CMS Tribal Unit 69 being part of Government Lot 2 of Section 31, Township 14 North, Range 26 East, Adair County, Oklahoma.

This resolution will provide driveway access to Elmer Fritch. Cherokee Nation waives compensation.

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 7/25/08
Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Controller: (If Needed)

Signature/Initial _____ Date _____

Government Resources Dept:

Lita Mays 8/1/08
Signature/Initial _____ Date _____

Administration Approval:

Melanie 8/1/08
Signature/Initial _____ Date _____

Legislative Clearance

Legislative Aide:

Shelli Brittain 8/1/08
Signature/Initial _____ Date _____

Standing Committee:

Resource

8-11-08

Next Meeting Date

Chairperson:

Snell
Signature/Initial _____ Date _____

Returned to Presenter: _____

Date

17-25-08P04:12

*G.R.
RCVD
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