

RESOLUTION NO. 13-24

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT EASEMENTS FOR RIGHTS OF WAY FOR THE FOLLOWING ROAD IMPROVEMENT PROJECTS MUD VALLEY, KANSAS DRY CREEK, MALLOY HOLLOW AND SALLY BULL HOLLOW ROADS LOCATED ON TRIBAL TRUST LAND IN ADAIR, CHEROKEE AND DELAWARE COUNTIES

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 Adair County, Cherokee County and Delaware County Commissioners, Cherry Tree Rural Water District, AT&T, Ozarks Electric / OzarksGo, Windstream Communications, Lake Region Electric Cooperative / Lake Region Telecommunications and Northeast Oklahoma Public Facilities Authority wish to obtain easements for road improvements in, upon and across lands held in Trust for Cherokee Nation, on Kansas Dry Creek, Mud Valley, Malloy Hollow and Sally Bull Hollow Road projects, these easements will be perpetual unless otherwise stated in said Grant of Easement and is set to begin on the date of approval by the Bureau of Indian Affairs, subject to conditions set in the Grant of Easement for Right of Way.

WHEREAS, Cherokee Nation Real Estate Services requests the Tribal Council to issue a waiver of said regulation requiring bonds for Grants of Easements for Rights of Way pursuant to regulations contained in **25 CFR §169.103(f)(2)**. Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe, and;

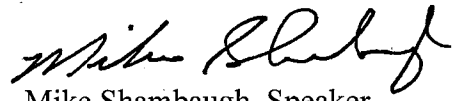
WHEREAS, The Cherokee Nation requests a Waiver of Valuation and that the Negotiated Value be used pursuant to **25 CFR §169.110(a)**.

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 Cherokee Nation .

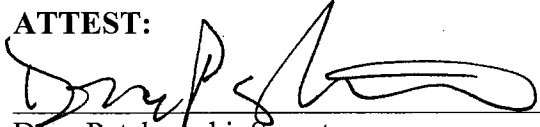
BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of Cherokee Nation, Chuck Hoskin Jr., and/or his authorized designee(s) be authorized to enter into the above described leasing, with the negotiated compensation with the appraisal and bond waived, in accordance with 25 CFR § 162 and the Bureau of Indian Affairs policy and procedure for leasing of land owned by United States of America in Trust for Cherokee Nation.

CERTIFICATION

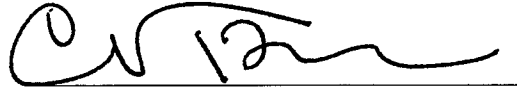
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 15th day of April, 2024, having 16 members present, constituting a quorum, by the vote of 15 yea; 0 nay; 1 abstaining.


Mike Shambaugh, Speaker
Council of the Cherokee Nation

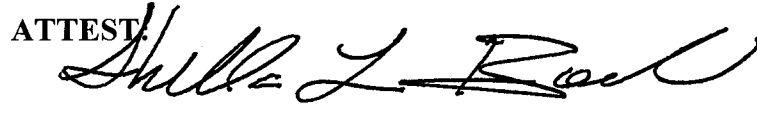
ATTEST:


Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19 day of April, 2024.


Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:


Shella Bowlin, Secretary of State
Cherokee Nation

Administrative Clearance

Program/Project Manager

Signature/Initial _____ Date _____

Department Director:

Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Controller: (If Needed)

Signature/Initial _____ Date _____

Government Resources Dept:

Signature/Initial _____ Date _____

Administration Approval:

[Handwritten Signature] 2/27/24
Signature/Initial _____ Date _____

Legislative Clearance

Legislative Aide:

[Handwritten Signature] 2/27/24
Signature/Initial _____ Date _____

Standing Committee:

[Handwritten Signature]

3/11/24
Next Meeting Date

Chairperson:

[Handwritten Signature]
Signature/Initial _____ Date _____

Returned to Presenter: _____
Date

**Cherokee Nation
Act /Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Authorizing Cherokee Nation to Grant Easements for Rights of Way for the following road improvement projects Mud Valley, Kansas Dry Creek, Malloy Hollow and Sally Bull Hollow roads located on Tribal Trust Lands in Adair, Cherokee and Delaware Counties.

DEPARTMENT CONTACT: Joel Bean

RESOLUTION PRESENTER: GINGER REEVES

SPONSOR: *Shambaugh, Patzkowski, Vazquez Sam, Shunda Pandexter, Blackfox-Cwall*

NARRATIVE:

The request set forth in the attached resolution is for Cherokee Nation to Grant Easements for the following road improvement projects on Mud Valley, Kansas Dry Creek, Malloy Hollow and Sally Bull Hollow roads to the Adair, Cherokee & Delaware County Commissioners, Cherry Tree Rural Water District, AT&T, Ozarks Electric Cooperative / OzarksGo, Windstream Communications, Lake Region Electric Cooperative / Lake Region Telecommunications and Northeast Oklahoma Public Facilities Authority. Cherokee Nation also requests to waive the bond, a waiver of valuation and has determined that the negotiated values are in the best interest of the tribe.

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