

RESOLUTION NO. 05-21

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY ON DAHLONEGAH SOUTH ROAD ON USA IN TRUST LAND FOR CHEROKEE NATION TO THE BOARD OF ADAIR COUNTY COMMISSIONERS AND SAID UTILITY COMPANIES

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government on 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 Board of Adair County Commissioners, Ozarks Electric Coop. Corp. and OzarksGo, LLC, Oklahoma Windstream, LLC, and Cherry Tree RWD requests a Grant of Easement for Right-of-Way for a road improvement project 3.8 miles in length on the Dahlongah South Road located across United States of America in Trust for Cherokee Nation property described as: Parcels 8,8.1,8U,8A,8A.1,8U.1, 9,9U,9U.1, 10,10U, 12, 12.1, 12.2, 12U, 13, 13.1, 13.2, 13U, 13U.1, 13U.2, 13U.3, 14, 14C, 14U, 14U.1, 15, 15C, 15U, 16, 16.1, 16U, 16U.1, 18, 18C, 18U, 18U.1, 18U.2, 20, 20U, in Sections 5, 6, 7 & 8 of Township 14 North, Range 25 East, Adair County and Sections 29, 32, Township 15 North, Range 25 East.

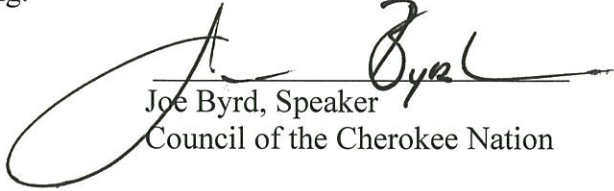
WHEREAS, just compensation for said right-of-way has been negotiated and agreed upon with Adair County. Cherokee Nation hereby agrees that said compensation is satisfactory to the tribe, waives valuation and has determined that it is in the best interest of the Cherokee Nation pursuant to *Title 25 CFR §169.110*;

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 Principal Chief of Cherokee Nation, Chuck Hoskin, Jr., and/or his authorized designee(s) be authorized to enter into the above described grant of easement for right-of-way, in accordance with *25 CFR § 169* and the *Bureau of Indian Affairs Policy and Procedure* for the grant of easement for right-of-way 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 11th day of January, 2021, 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:


Janees Taylor, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of January, 2021.


Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:


Tina Glory Jordan, Secretary of State
Cherokee Nation