

Committee: Resource

Date: 08-02-16

Committee Date: 08-15-16

Author: Ginger Reeves

Sponsor: Frankie Hargis / Shawn Crittenden

RESOLUTION NO. 69-16

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT-OF-WAY TO THE ADAIR COUNTY COMMISSIONERS FOR THE RECONSTRUCTION OF A BRIDGE IN THE LYONS SWITCH COMMUNITY ON NS-466 ROAD OVER SALLISAW CREEK LOCATED ON USA IN TRUST LAND FOR THE CHEROKEE NATION KNOWN AS CMS-25

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 Commissioners partnering with the Eastern Oklahoma Circuit Engineering District wishes for a grant of easement for right-of-way for the reconstruction of a bridge in the Lyons Switch Community on NS-466 Road over Sallisaw Creek located on USA in Trust land for the Cherokee Nation known as CMS-25. The bridge reconstruction is Parcel No. 2 located on a tract of land in the SW $\frac{1}{4}$ of Section 25, Township 15 North, Range 24 East, Adair County, containing 1.44 acres more or less;

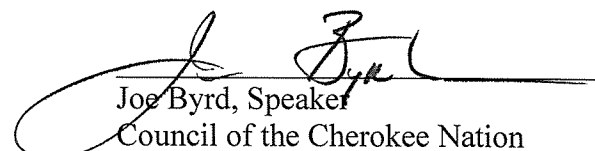
WHEREAS, Cherokee Nation will be compensated appraised value for the grant of easement for right-of-way, Cherokee Nation also waives the bond pursuant to 25 § 169.103;

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.

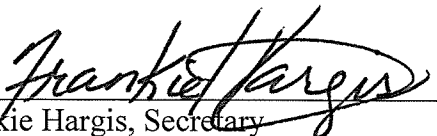
BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of Cherokee Nation, Bill John Baker, and/or his authorized designee(s) be authorized to enter into the above described grant of easement for right-of-way, with the bond being waived, in accordance with 25 CFR § 169 and the Bureau of Indian 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 15th day of August 2016 having 16 members present, constituting a quorum, by the vote of 16 yea(s); 0 nay(s); 0 abstaining.

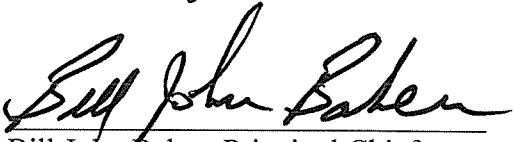

Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:



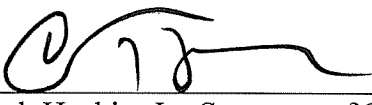
Frankie Hargis, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of August, 2016.



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

Administrative Clearance

Program/Project Manager

Signature/Initial _____ Date _____

Department Director:

[Signature] 7/28/16

Signature/Initial _____ Date _____

Executive Director:

[Signature] 7/28/16

Signature/Initial _____ Date _____

Controller: (If Needed)

Signature/Initial _____ Date _____

Government Resources Dept:

Signature/Initial _____ Date _____

Administration Approval:

[Signature] 7/29/16

Signature/Initial _____ Date _____

**Cherokee Nation
Act /Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Authorizing a grant of easement for right-of-way to the Adair County Commissioners for the reconstruction of a bridge in the Lyons Switch Community on NS-466 road over Sallisaw Creek located on USA in Trust land for the Cherokee Nation known as CMS-25

DEPARTMENT CONTACT: GINGER REEVES

RESOLUTION PRESENTER: GINGER REEVES

SPONSOR: Frankie Hargis

NARRATIVE:

The request set forth in the attached resolution is for the Cherokee Nation to grant an easement for right-of-way to the Adair County Commissioners partnering with the Eastern Oklahoma Circuit Engineering District for the reconstruction of a bridge in the Lyons Switch Community on NS-466 road over Sallisaw Creek located on USA in Trust land for the Cherokee Nation known as CMS-25. Cherokee Nation also requests to waive the bond.

Legislative Clearance

Legislative Aide:

[Signature] 8/2/16

Signature/Initial _____ Date _____

Standing Committee:

[Signature]

8/15/16

Next Meeting Date

Chairperson:

[Signature]

Signature/Initial _____ Date _____

Returned to Presenter: _____

Date

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

08-02-16P01:23 RCVD