

RESOLUTION NO. 25-17

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY TO THE OKLAHOMA GAS AND ELECTRIC COMPANY (OG&E) FOR THE HASTINGS HOSPITAL EXPANSION PROJECT, TAHLEQUAH OKLAHOMA, CHEROKEE COUNTY**

**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 Oklahoma Gas and Electric Company (OG&E) requests an easement for right-of-way across USA in Trust land for the Cherokee Nation located in the N2 of Section 34, Township 17 North, Range 22 East, Cherokee County, Oklahoma, to supply electrical service and a substation for the Hastings Hospital Expansion Project;

**WHEREAS**, The Cherokee Nation requests a Waiver of Valuation pursuant to *Title 25 CFR §162.420(a)* the Cherokee Nation has determined that:

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 tribe.

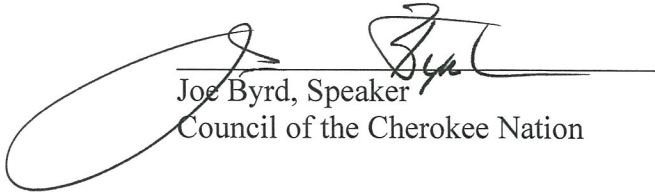
**WHEREAS**, The Cherokee Nation requests a Waiver of Bond pursuant to *Title 25 CFR §162.434(g)* Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe.

**WHEREAS**, The Cherokee Nation believes that not having a Compensation Review or adjustment is in the best interest of the tribe pursuant to *Title 25 CFR §162.428(a)*.

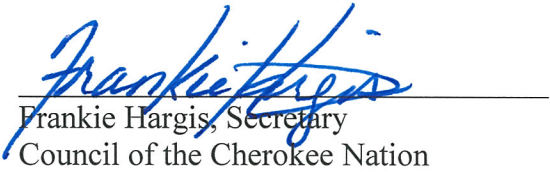
**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Principal Chief of Cherokee Nation, Bill John Baker, and/or his authorized designee(s) be authorized to enter into the above described easement, with the appraisal and bond being waived, in accordance with 25 CFR and the Bureau of Indian Affairs policy and procedure for the granting of rights-of-way on land owned by the United States of America in Trust for Cherokee Nation.

**CERTIFICATION**

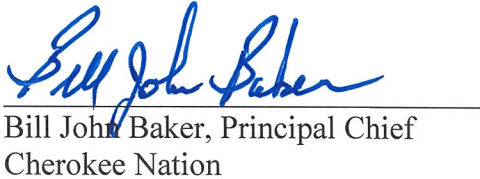
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 10<sup>th</sup> day of April, 2017, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; and 0 abstaining.

  
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 17 day of April, 2017.

  
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/Initial                      Date

Executive Director:

\_\_\_\_\_  
 Signature/Initial                      Date

Controller: (If Needed)

\_\_\_\_\_  
 Signature/Initial                      Date

Government Resources Dept:

\_\_\_\_\_  
 Signature/Initial                      Date

Administration Approval:

*[Signature]* 4/10/17  
 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 Oklahoma Gas & Electric Company (OG&E) for the Hastings Hospital Expansion Project, Tahlequah Oklahoma, Cherokee County.

DEPARTMENT CONTACT: GINGER REEVES

RESOLUTION PRESENTER: GINGER REEVES

SPONSOR: \_\_\_\_\_

**NARRATIVE:**

The request set forth in the attached resolution is for a grant of easement for Right-of-Way from Cherokee Nation to the Oklahoma Gas and Electric Company. Cherokee Nation also requests to waive the bond and appraisal for the easement will supply electric service and a substation for the Hastings Hospital Expansion Project.

**Legislative Clearance**

Legislative Aide:

*[Signature]* 4/10/17  
 Signature/Initial                      Date

Standing Committee:

*[Signature]*  
 \_\_\_\_\_

4-10-17

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