



# Council of the Cherokee Nation

Cherokee Nation Tribal  
Council  
17763 S. Muskogee Ave.  
Tahlequah, OK 74464

## Legislation Details (With Text)

**File #:** 08-106      **Version:** 1      **Name:** N/A  
**Type:** Resolution      **Status:** Passed  
**File created:** 8/1/2008      **In control:** Resource Committee  
**On agenda:** 8/11/2008      **Final action:** 9/15/2008  
**Enactment date:** 9/15/2008      **Enactment #:** R-79-08

**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

**Sponsors:** S. Joe Crittenden

**Indexes:** Easement

**Code sections:** N/A - Not Applicable

**Attachments:** 1. R-79-08

Date	Ver.	Action By	Action	Result
9/22/2008	1	OFFICE OF THE CHIEF	Signed	
9/15/2008	1	TRIBAL COUNCIL	Approved	Pass
8/11/2008	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

**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).