



Council of the Cherokee Nation

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

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Title: A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT AN EASEMENT FOR RIGHT OF WAY FOR A ROAD IMPROVEMENT PROJECT TO THE CITY OF CATOOSA LOCATED ON TRIBAL TRUST LAND IN ROGERS COUNTY

Sponsors: Rex Jordan, E. O. "JR." Smith, Victoria Vazquez, Mike Shambaugh, Candessa Tehee, Joe Deere

Indexes: Easement

Code sections: N/A - Not Applicable

Attachments: 1. R-43-22.PDF

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------|-----------------------------------|--------|
| 9/19/2022 | 1 | OFFICE OF THE CHIEF | Signed | |
| 9/12/2022 | 1 | TRIBAL COUNCIL | Approved | Pass |
| 9/12/2022 | 1 | RESOURCE COMMITTEE | Approved and Forwarded to Council | Pass |

A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT AN EASEMENT FOR RIGHT OF WAY FOR A ROAD IMPROVEMENT PROJECT TO THE CITY OF CATOOSA LOCATED ON TRIBAL TRUST LAND IN ROGERS 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 City of Catoosa wishes to obtain easements for a road improvement project in, upon and across land held in Trust for Cherokee Nation, the easement will be perpetual 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. The Road improvement project will be located in Rogers County, Oklahoma.

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.