



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

**File #:** 16-091      **Version:** 1      **Name:** N/A  
**Type:** Resolution      **Status:** Passed  
**File created:** 8/3/2016      **In control:** TRIBAL COUNCIL  
**On agenda:** 8/15/2016      **Final action:** 8/19/2016  
**Enactment date:** 8/15/2016      **Enactment #:** R-069-16

**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

**Sponsors:** Frankie Hargis, Shawn Crittenden

**Indexes:** Bridge Construction, Easement, Right of Way

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

**Attachments:** 1. R-69-16.PDF

Date	Ver.	Action By	Action	Result
8/19/2016	1	OFFICE OF THE CHIEF	Signed	
8/15/2016	1	TRIBAL COUNCIL	Approved	Pass
8/15/2016	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

**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 SW¼ 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.