



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

**File #:** 18-067      **Version:** 1      **Name:** N/A

**Type:** Resolution      **Status:** Passed

**File created:** 8/29/2018      **In control:** TRIBAL COUNCIL

**On agenda:** 9/10/2018      **Final action:** 10/18/2018

**Enactment date:** 10/15/2018      **Enactment #:** R-045b-18

**Title:** A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY - USA IN TRUST FOR CHEROKEE NATION TO SEQUOYAH COUNTY FOR A ROAD IMPROVEMENT PROJECT ON DWIGHT MISSION ROAD (I-40 TRACT)

**Sponsors:** E. O. "JR." Smith

**Indexes:** Easement, Right of Way

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

**Attachments:** 1. R-45-18001.PDF

Date	Ver.	Action By	Action	Result
10/18/2018	1	OFFICE OF THE CHIEF	Signed	
10/15/2018	1	TRIBAL COUNCIL	Approved	Pass
9/10/2018	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

### **A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY - USA IN TRUST FOR CHEROKEE NATION TO SEQUOYAH COUNTY FOR A ROAD IMPROVEMENT PROJECT ON DWIGHT MISSION ROAD (I-40 TRACT)**

**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**, Sequoyah County, 117 South Oak Suite 112, Sallisaw, OK 74955, requests a Grant of Easement for Right of Way for a road improvement project on Dwight Mission Road located on United States of America in Trust for Cherokee Nation property known as the I-40 tract, described as Parcel 1.0 of Section 5, Township 11 North, Range 23 East, Sequoyah County, containing 0.05 acres more or less. The complete legal description can be found on the survey which is attached;

**WHEREAS**, Cherokee Nation will be compensated fair market / appraised value for the grant of easement for right-of-way pursuant to ***Title 25 CFR §169.114***;

**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, 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.