



Council of the Cherokee Nation

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

Legislation Details (With Text)

File #: 10-045 **Version:** 1 **Name:** N/A

Type: Resolution **Status:** Passed

File created: 3/30/2010 **In control:** TRIBAL COUNCIL

On agenda: 5/10/2010 **Final action:** 5/9/2010

Enactment date: 5/9/2010 **Enactment #:** R-45-10

Title: A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY OVER, IN UPON & ACROSS USA IN TRUST LAND IN DELAWARE COUNTY BETWEEN CHEROKEE NATION AND RONNY & CLAUDIA SWEGER FOR AN ACCESS (INGRESS & EGRESS) EASEMENT

Sponsors: Harley Buzzard

Indexes: Easement, Right of Way, Trust Land

Code sections: N/A - Not Applicable

Attachments: 1. R-45-10

Date	Ver.	Action By	Action	Result
5/14/2010	1	OFFICE OF THE CHIEF	Signed	
5/10/2010	1	TRIBAL COUNCIL	Approved	Pass
4/12/2010	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY OVER, IN UPON & ACROSS USA IN TRUST LAND IN DELAWARE COUNTY BETWEEN CHEROKEE NATION AND RONNY & CLAUDIA SWEGER FOR AN ACCESS (INGRESS & EGRESS) EASEMENT

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, Ronny & Claudia Sweger, 47558 S 500 Road, Salina, Oklahoma 74365 desires permission for an easement for ingress & egress over, in, upon and across Cherokee Nation Tribal Trust land, the access easement is more particularly described as:

A strip of land for the purpose of ingress and egress, across over and through the N/2 NW/4 NW/4 SW/4 of Section 5, T21N, R22E, Indian Base and Meridian, Delaware County, Oklahoma, said strip of land being 15 feet each side of the centerline being more particularly described as follows:

Commencing at the Northwest corner of the SW/4 of Section 5, T21N, R22E, thence S89°47'14"E, a distance of 535.28 feet to the centerline of the 30.00 foot wide road easement, said point being the True Point of Beginning; thence S45°13'28"W, a distance of 11.93 feet; thence N89°27'52"W, a distance of 229.26 feet; thence S48°32'58"W, a distance of 396.68 feet to the Point of Termination on the West line of Section 5, T21N, R22E, said point S00°03'0"E a distance of 270.84 feet from the Northwest corner of the SW/4 of Section 5, T21N, R22E.

Containing 19,136 square feet or 0.44 acres more or less;

WHEREAS, Cherokee Nation waives compensation the road and fence were constructed/built and paid for by the Sweger's. This ingress and egress will service Ronny and Claudia Sweger;

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).