



Council of the Cherokee Nation

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

Legislation Details (With Text)

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|------------------------|--|----------------------|----------------|--------------|-----|
| File #: | 17-041 | Version: | 1 | Name: | N/A |
| Type: | Resolution | Status: | Passed | | |
| File created: | 3/29/2017 | In control: | TRIBAL COUNCIL | | |
| On agenda: | 4/10/2017 | Final action: | 5/19/2017 | | |
| Enactment date: | 5/15/2017 | Enactment #: | R-030-17 | | |
| Title: | A RESOLUTION AUTHORIZING THE RENEWAL OF A GRANT OF EASEMENT FOR RIGHT OF WAY ON AN EXISTING NATURAL GAS LINE TO THE OKLAHOMA NATURAL GAS COMPANY (ONG) FOR THE CHEROKEE HEIGHTS ADDITION (TRIBAL HOUSING PROJECT 45-16) PRYOR OK, MAYES COUNTY | | | | |
| Sponsors: | Janees Taylor | | | | |
| Indexes: | Easement, Right of Way | | | | |
| Code sections: | N/A - Not Applicable | | | | |
| Attachments: | 1. R-30-17.PDF | | | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------|-----------------------------------|--------|
| 5/19/2017 | 1 | OFFICE OF THE CHIEF | Signed | |
| 5/15/2017 | 1 | TRIBAL COUNCIL | Approved | Pass |
| 4/10/2017 | 1 | RESOURCE COMMITTEE | Approved and Forwarded to Council | Pass |

A RESOLUTION AUTHORIZING THE RENEWAL OF A GRANT OF EASEMENT FOR RIGHT OF WAY ON AN EXISTING NATURAL GAS LINE TO THE OKLAHOMA NATURAL GAS COMPANY (ONG) FOR THE CHEROKEE HEIGHTS ADDITION (TRIBAL HOUSING PROJECT 45-16) PRYOR OK, MAYES 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 Oklahoma Natural Gas Company, a Division of ONE Gas, Inc., (ONG) whose address is 15 East 5th Street, Tulsa OK 74103 requests the renewal of an existing Natural Gas Line Easement across USA in Trust land for the Cherokee Nation located in the NE¼ of Section 11, Township 20 North, Range 19 East, Mayes County, Oklahoma. The complete legal description can be found on the attached survey.

WHEREAS, the natural gas line easement will be for a term of twenty (20) years, beginning on the date of approval by the Bureau of Indian Affairs. The easement will continue to supply natural gas to the Cherokee Heights Addition (Tribal Housing Project 45-16). The current natural gas line has been in place for approximately 50 years, and is operated and maintained by Oklahoma Natural Gas Company. There will be no changes in size, type, location, or changes of any kind to this existing pipeline. The easement is set to expire on January 31, 2018, compensation for the easement will be \$1.00.

WHEREAS, The Cherokee Nation requests a Waiver of Valuation pursuant to *Title 25 CFR §162.420(a)* the Cherokee Nation has determined that:

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 tribe.

WHEREAS, The Cherokee Nation requests a Waiver of Bond pursuant to *Title 25 CFR §162.434(g)* Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe.

WHEREAS, The Cherokee Nation believes that not having a Compensation Review or adjustment is in the best interest of the tribe pursuant to *Title 25 CFR §162.428(a)*.

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 easement, with the appraisal and bond being waived, in accordance with Bureau of Indian Affairs policy and procedure for the granting of rights-of-way on land owned by the United States of America in Trust for Cherokee Nation.