



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

**File #:** 09-122      **Version:** 1      **Name:** N/A

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**On agenda:** 9/14/2009      **Final action:** 10/19/2009

**Enactment date:** 10/19/2009      **Enactment #:** R-104-09

**Title:** A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY OVER, IN, UPON & ACROSS USA IN TRUST LAND IN MAYES COUNTY BETWEEN CHEROKEE NATION AND KAMO ELECTRIC COOPERATIVE INC. FOR AN ELECTRICAL LINE EASEMENT

**Sponsors:** Meredith Frailey

**Indexes:** Easement, Right of Way, Trust Land

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

**Attachments:** 1. R-104-09

Date	Ver.	Action By	Action	Result
10/23/2009	1	OFFICE OF THE CHIEF	Signed	
10/19/2009	1	TRIBAL COUNCIL	Approved	Pass
9/14/2009	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 MAYES COUNTY BETWEEN CHEROKEE NATION AND KAMO ELECTRIC COOPERATIVE INC. FOR AN ELECTRICAL LINE 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**, KAMO Electric Cooperative, Inc., PO Box 577, Vinita, Oklahoma 74301-0577 desires permission to install and Electrical Transmission line over, in, upon and across Cherokee Nation Tribal Trust land, the electrical easement is more particularly described as:

Tract NO. OK-MA A: The easement herein granted will be 150 wide and lie 75 feet each side of the following described centerline (sidelines are lengthened or shortened as required to end on grantors boundary) - Commencing at the Northeast corner of Section 11, Township 20 North, Range 19 East, Mayes County, Oklahoma: thence S88°09'16"W along the North line of said Section 11 a distance of 2719.21 feet to the proposed centerline and point of beginning; thence S08°36'33"E 3869.18 feet along the proposed centerline to a point of deflection; thence S64°45'44"E 334.89 feet more or less to the grantors boundary and terminus point. 14.80 acres more or less,

Also

Guying tract: Commencing at the point of deflection of said centerline; thence N08°36'33"W, 106.45 feet; thence N64°45'44"E 78.27 feet to the point of beginning of said guying tract; thence continuing

N64°45'44"E, 150.29 feet; thence S08°36'33"E, 334.43 feet; thence S08°26'04"W, 323.44 feet; thence N08°36'33"W, 14.18 feet; thence N64°45'44"E, 184.73 feet; thence N08°36'33"W, 184.72 feet to the terminus point of said guying tract. 1.20 acres more or less, guying tract;

**WHEREAS**, Compensation to Cherokee Nation will be the appraised value, this Electrical line will service Tribal members living in Mayes County as well as Tribal Members living in Cherokee Heights located on USA in Trust Land for the Cherokee Nation;

**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).