



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

<b>File #:</b>	22-072	<b>Version:</b>	1	<b>Name:</b>	N/A
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	8/31/2022	<b>In control:</b>	TRIBAL COUNCIL		
<b>On agenda:</b>	9/12/2022	<b>Final action:</b>	9/19/2022		
<b>Enactment date:</b>	9/12/2022	<b>Enactment #:</b>	R-041-22		
<b>Title:</b>	A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT AN EASEMENT FOR RIGHT OF WAY AND LIFT STATION ACROSS TRIBAL TRUST LAND TO THE TAHLEQUAH PUBLIC WORKS AUTHORITY FOR THE INDIAN MEADOWS SEWER LINE PROJECT LOCATED IN CHEROKEE COUNTY				
<b>Sponsors:</b>	Rex Jordan, E. O. "JR." Smith, Mike Shambaugh, Candessa Tehee, Victoria Vazquez				
<b>Indexes:</b>	Easement				
<b>Code sections:</b>	N/A - Not Applicable				
<b>Attachments:</b>	1. R-41-22.PDF				

Date	Ver.	Action By	Action	Result
9/19/2022	1	OFFICE OF THE CHIEF	Signed	
9/12/2022	1	TRIBAL COUNCIL	Approved	Pass
9/12/2022	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

### A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT AN EASEMENT FOR RIGHT OF WAY AND LIFT STATION ACROSS TRIBAL TRUST LAND TO THE TAHLEQUAH PUBLIC WORKS AUTHORITY FOR THE INDIAN MEADOWS SEWER LINE PROJECT LOCATED IN CHEROKEE 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 Tahlequah Public Works Authority wishes to obtain an easement and install a lift station in, upon and across land held in Trust for Cherokee Nation located on a portion of the Park Hill unit for a term of thirty (30) years beginning on the date of approval by the Bureau of Indian Affairs, subject to conditions set in the Grant of Easement for Right of Way. The Tribal Trust tract is located in part of the NW¼ of Section 15, Township 16 North, Range 22 East, I.B.&M. Cherokee County Oklahoma.

**WHEREAS**, the Cherokee Nation Real Estate Services requests the Tribal Council to issue a waiver of said

regulation requiring bonds on Cherokee Tribal Land Grants of Easements for Rights-of-Way pursuant to regulations contained in **25 CFR §169.103(f)(2)**. Cherokee Nation has determined that a waiver of performance bond or alternative form of security is in the best interest of the tribe, and;

**WHEREAS**, The Cherokee Nation requests a Waiver of Valuation and that the Negotiated Value be used pursuant to **25 CFR §169.110(a)**.

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 Cherokee Nation.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Principal Chief of Cherokee Nation, Chuck Hoskin Jr., and/or his authorized designee(s) be authorized to enter into the above described leasing, with the negotiated compensation with the appraisal and bond waived, in accordance with 25 CFR § 169 and the Bureau of Indian Affairs policy and procedure for Rights of Way of land owned by United States of America in Trust for Cherokee Nation.