



Council of the Cherokee Nation

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

Legislation Text

File #: 17-050, Version: 1

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY TO THE OKLAHOMA GAS AND ELECTRIC COMPANY (OG&E) FOR THE HASTINGS HOSPITAL EXPANSION PROJECT, TAHLEQUAH OKLAHOMA, 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 Oklahoma Gas and Electric Company (OG&E) requests an easement for right-of-way across USA in Trust land for the Cherokee Nation located in the N2 of Section 34, Township 17 North, Range 22 East, Cherokee County, Oklahoma, to supply electrical service and a substation for the Hastings Hospital Expansion Project;

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 25 CFR and the 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.