



# Council of the Cherokee Nation

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

## Legislation Text

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File #: 19-030, Version: 1

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### **A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR RIGHT OF WAY - USA IN TRUST FOR CHEROKEE NATION TO MACK & SARAH FLYNN FOR INGRESS, EGRESS & UTILITIES LOCATED ON CMS UNIT 12**

**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**, Mack & Sarah Flynn, Rt. 5 Box 5360 Stilwell, OK 74960, requests a Grant of Easement for Right of Way for 30 years, for Ingress, Egress and Utilities over, in, upon USA in trust land for Cherokee Nation known as CMS-12, described as being part of the N2 NE SE of Section 26, Township 15 North, Range 25 East, Adair County;

**WHEREAS**, Cherokee Nation will be compensated fair market / appraised value for the grant of easement for right-of-way pursuant to *Title 25 CFR §169.114*;

**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 Principal Chief of Cherokee Nation, Bill John Baker, and/or his authorized designee(s) be authorized to enter into the above described grant of easement for right-of-way, in accordance with *25 CFR § 169* and the *Bureau of Indian Affairs Policy and Procedure* for the grant of easement for right-of-way of land owned by United States of America in Trust for Cherokee Nation.