



# Council of the Cherokee Nation

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

## Legislation Text

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**File #:** 26-017, **Version:** 1

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**A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT AN EASEMENT FOR RIGHT OF WAY TO THE US FISH AND WILDLIFE SERVICE AND / OR THE CONSERVATION FUND FOR INGRESS AND EGRESS ACROSS A PORTION OF TRIBAL TRUST LAND LOCATED IN ADAIR COUNTY OKLAHOMA**

**WHEREAS**, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people; and,

**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; and,

**WHEREAS**, the US Fish and Wildlife Service and / or the Conservation Fund wish to obtain a Grant of Easement for Right of Way across a portion of Cherokee Nation Tribal Trust Land. The easement will be for a term of thirty-five (35) years, the amount to be negotiated between Cherokee Nation and the US Fish and Wildlife Service and Conservation Fund. The Tribal Trust tract is located in Section 25, Township 15 North, Range 24 East, Adair County, OK, and;

**WHEREAS**, Cherokee Nation Real Estate Services requests the Council of the Cherokee Nation to issue a waiver of said regulation requiring bonds for 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**, that the Principal Chief and/or his or her authorized designee(s) be authorized to enter into the above-described leasing, with negotiated compensation, in accordance with 25 CFR §169, the Bureau of Indian Affairs policy and procedure for easements of land owned by United States of America in Trust for Cherokee Nation.