



**TR 21-026**

**CLASSIFICATION: #28. LANDS AND MINERALS**

**A TRIBAL RESOLUTION OF THE MUSCOGEE (CREEK) NATION AUTHORIZING THE PRINCIPAL CHIEF TO EXECUTE A UTILITY EASEMENT, DONATION CERTIFICATE AND TEMPORARY CONSTRUCTION EASEMENT ACROSS TRIBAL LAND FOR THE CONSTRUCTION, USE AND MAINTENANCE OF THE ELM CREEK TRUNK SEWER LINE REPLACEMENT IN TULSA COUNTY, OKLAHOMA**

**Be it resolved by the National Council of the Muscogee (Creek) Nation:**

**WHEREAS**, the Nation is the owner of certain property in The Meadows at Indian Springs Addition to the City of Broken Arrow, Tulsa County, Oklahoma; and

**WHEREAS**, the City of Broken Arrow, Oklahoma, is seeking a Utility Easement and Temporary Construction Easement across Tribal land for the construction, use and maintenance of the Elm Creek Trunk Sewer Line replacement, Project # S.1606; and

**WHEREAS**, the Nation is the owner of Lot 8, Block 7, The Meadows at Indian Springs Addition to the City of Broken Arrow, and the utility easement will cross the backyard boundary of the Nation's property; and

**WHEREAS**, upon the abandonment of the Utility Easement, said easement shall terminate and ownership shall vest back to the Nation; and

**WHEREAS**, the Temporary Construction Easement is limited to a period of not more than 12 months from the start of construction; and

**WHEREAS**, the Nation will donate the Utility Easement to the City of Broken Arrow through the execution of a Donation Certificate.

**NOW THEREFORE BE IT RESOLVED THAT**, the Principal Chief is hereby authorized to execute a Utility Easement across property owned by the Nation and described as:

**A TRACT OF LAND BEING A PART OF LOT 8, BLOCK 7, THE MEADOWS AT INDIAN SPRINGS ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF AND FURTHER DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID LOT 8;**

THENCE N85°09'20"W ALONG THE SOUTHERLY LINE OF SAID LOT 8 FOR A DISTANCE OF 32.91 FEET; THENCE N00°25'00"E FOR A DISTANCE OF 24.19 FEET TO THE EASTERLY LINE OF SAID LOT 8; THENCE S50°24'36"E ALONG SAID EASTERLY LINE FOR A DISTANCE OF 42.32 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINING 0.01 ACRES (397 SQUARE FEET) MORE OR LESS.

**BE IT FURTHER RESOLVED THAT**, the Principal Chief is hereby authorized to execute a Temporary Construction Easement across property owned by the Nation and described as:

A TRACT OF LAND BEING A PART OF LOT 8, BLOCK 7, THE MEADOWS AT INDIAN SPRINGS ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERN CORNER OF SAID LOT 8;

THENCE N85°09'20"W ALONG SAID SOUTHERLY LINE FOR A DISTANCE OF 10.03 FEET; THENCE N00°25'00"E FOR A DISTANCE OF 31.56 FEET TO THE EASTERLY LINE OF SAID LOT 8; THENCE S50°24'36"E ALONG SAID EASTERLY LINE FOR A DISTANCE OF 12.90 FEET; THENCE S00°25'00"W FOR A DISTANCE OF 24.19 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINING 0.01 ACRES (279 SQUARE FEET) MORE OR LESS.

**BE IT FURTHER RESOLVED THAT**, the Principal Chief is hereby authorized to execute a Donation Certificate for the Utility Easement to the City of Broken Arrow, Oklahoma.

**ENACTED** by the Muscogee (Creek) National Council on this 27<sup>th</sup> day of February, 2021.

**IN WITNESS WHEREOF**, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.

  
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Randall Hicks, Speaker  
National Council  
Muscogee (Creek) Nation

**CERTIFICATION**

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with Sixteen members attending this meeting on the 27<sup>th</sup> day of February, 2021 and that the above is in conformity with the provisions therein adopted by a vote of 15 in favor, 0 against and that said Resolution has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.

*Kristie A. Jackson*  
Kristie A. Jackson, Recording Secretary  
Muscogee (Creek) National Council

**APPROVAL**

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature this 9<sup>th</sup> day of March, 2021 to the above Resolution, TR 21-026 authorizing it to become a Resolution under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

*David W. Hill*  
David W. Hill, Principal Chief  
Muscogee (Creek) Nation

