

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN LEFLORE COUNTY IN TRUST STATUS
WITH THE UNITED STATES OF AMERICA**

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO AUTHORIZE the Chief of the Choctaw Nation of Oklahoma to request the Bureau of Indian Affairs to place this acquisition of land into trust status with the United States of America.

WHEREAS, in accordance with Article IX, Section 6 of the Constitution of the Choctaw Nation of Oklahoma (the "Nation"), the Choctaw Tribal Council (the "Council") shall make decisions pertaining to the acquisition, leasing, disposition and management of real property;

WHEREAS, in accordance with Article VII, Section 1, of the Constitution of the Choctaw Nation of Oklahoma, the Chief shall perform all duties appertaining to the office of chief executive. He shall sign official papers on behalf of the Nation;

WHEREAS, the Nation is a federally recognized Indian Nation with authority to acquire land for the purpose of promoting the general welfare of its people and taking further advantage of the opportunities for self-determination and economic independence. As a recognized Indian Nation, the Nation is eligible to utilize the fee to trust application process set out in the 25 CFR § 151 including Section 5 of the Indian Reorganization Act (IRA) of June 18, 1934, as amended, which is codified at 25 U.S.C. § 5108, formerly 25 U.S.C. § 465, authorizes the Secretary of the Interior (the "Secretary") to acquire land in trust for Indians;

WHEREAS, the Nation has fee title to 3.08 acres of real property located at 100 Railroad Street, Talihina, LeFlore County, Oklahoma. The subject property is within the exterior treaty boundaries of the Choctaw Nation of Oklahoma and as such, is within the Nation's reservation or identified in the Treaty of April 28, 1866, (14 Stat. 769). The property is described as follows:

WHEREAS, the Nation has determined the need for additional trust land to its land base to accommodate increase in governmental services to tribal members to promote tribal self-determination and sovereignty, self-sufficiency and economic independence. The Nation has approximately 200,000 enrolled members, approximately 47,649 living in the tribal service area. See BIA, American Indian Population and Labor Force Report, (2010). The Nation expects tribal membership to increase along with tribal services. This growth is expected to continue, and this acquisition will address the Nation's need for additional land;

WHEREAS, the subject property is located at 100 Railroad Street, Talihina, LeFlore County, Oklahoma. See Exhibit A. It is currently owned by the Nation and the property will be utilized to facilitate self-determination and provide governmental services to Tribal citizens. Currently the property is improved with a tribal community center and a optometry clinic, and parking lot. This acquisition will provide easier access to community gatherings for Tribal citizens, and promoting healthy living by providing a comprehensive eye clinic. The Nation plans to continue utilizing the property for the same purposes.

WHEREAS, the Nation seeks to request the Secretary of the United States Department of the Interior to accept this fee title to the United States of America to be held by the United States in trust for the benefit of the Choctaw Nation of Oklahoma;

WHEREAS, the Council has determined it is in the best interest of the Nation to place the above-mentioned property in LeFlore County, Oklahoma in trust status with the U.S.A.

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THEREFORE, BE IT ENACTED, that the Tribal Council of the Choctaw Nation of Oklahoma authorizes and approves the Chief of the Choctaw Nation of Oklahoma, or his designee, to make a request to the Secretary of the U.S. Department of the Interior, to place into trust status in accordance with the Bureau of Indian Affairs policy and procedure for the acquisition of land the property described as follows:

A parcel of land situated in a part of the Southeast Quarter (SE¼) of Section 1, Township 3 North, Range 21 East of the Indian Meridian and Base Line, LeFlore County, Oklahoma being a combination of parcels of land described in Book 844, Page 724, filed on April 15, 1985 in the Office of the LeFlore County Clerk, Book 2020, Page(s) 786, filed on December 1, 2017 in the Office of the LeFlore County Clerk, and Book 1943, Page(s) 440, filed on July 31, 2015 in the Office of the LeFlore County Clerk, being more particularly described by metes and bounds with a true base bearing being North 89 degrees 48 minutes 41 seconds East, along the North line of the Northeast Quarter of Section 12, Township 3 North, Range 21 East, more particularly described as follows:

Commencing at the corner of Sections 1, 2, 11 and 12, marked with ½ inch diameter steel pin with yellow cap stamped D Page JR PLS1566;

Thence, North 89 degrees 43 minutes 41 seconds East, along the line between Sections 1 and 12, a distance of 2645.64 feet to the Quarter Section corner between Sections 1 and 12, marked with an unidentified 3/8 inch steel pin;

Thence, North 89 degrees 48 minutes 41 seconds East along the line between Sections 1 and 12, a distance of 928.81 feet to a calculated point, not monumented;

Thence, North 00 degrees 11 minutes 19 seconds West, perpendicular the line between Sections 1 and 12, a distance of 38.80 feet to the Southeasterly corner of a parcel of land described in Book 1943, Page 440, filed July 31, 2015 in the Office of the LeFlore County Clerk, identical with the Northeasterly corner of Lot 1 in Block 58 of the Original Townsite of Talihina as filed in the Office of the LeFlore County Clerk, marked with an unidentified 3/8 inch steel pin and the Point of Beginning of the herein described parcel;

Thence, South 52 degrees 43 minutes 55 seconds West, along Southerly line of a parcel of land described in Book 1943, Page 440, filed July 31, 2015 in the Office of the LeFlore County Clerk, identical with the Northerly line of Block 58 of the Original Townsite of Talihina, a distance of 64.35 feet to the intersection of the Northerly line of Block 58 of the Original Townsite of Talihina and Quarter section line between said Sections 1 and 12, Township 3 North, Range 21 East, not monumented;

Thence, South 89 degrees 48 minutes 41 seconds West, along the Quarter section line between said Sections 1 and 12, Township 3 North, Range 21 East, a distance of 497.06 feet to a point at the intersection of the Northerly line of the abandoned St. Louis and San Francisco Railroad in the Original Townsite of Talihina and the Quarter section line between said Sections 1 and 12, Township 3 North, Range 21 East, identical with the Northerly line of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk and Northerly right of way of the abandoned St. Louis and San Francisco Railroad, not monumented;

Thence, North 52 degrees 40 minutes 34 seconds East, along the Northerly line of a parcel of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk, identical with the Northerly right of way of the abandoned St. Louis and San Francisco Railroad, a distance of 453.21 feet to the Northeasterly corner of a parcel of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk, marked with a ½ inch diameter steel pin with cap stamped Rogers PLS 1800;

Thence, South 38 degrees 44 minutes 12 seconds East, along the Easterly line of a parcel of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk and continuing along the Easterly line of a parcel of land as described in Book 1943, Page 440 filed July 31, 2015 in the Office of the LeFlore County Clerk, a distance 300.23 feet to the Southeasterly corner of a parcel of land as described in Book 1943, Page 440, filed July 31, 2015 in the Office of the LeFlore County Clerk, identical with the Southerly right of way of the abandoned St. Louis and San Francisco Railroad and identical with the Northeasterly corner of Lot 1 in Block 58 in the Original Townsite of Talihina to a 3/8 inch diameter steel pin being the Point of Beginning, containing 1.78 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

AND

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A parcel of land situated in a part of the Northeast Quarter (NE¼) of Section 12, Township 3 North, Range 21 East of the Indian Meridian and Base line, LeFlore County, Oklahoma being a combination of parcels of land described in Book 844, Page 724, filed on April 15, 1985 in the Office of the LeFlore County Clerk, Book 2020, Page(s) 786, filed on December 1, 2017 in the Office of the LeFlore County Clerk, and Book 1943, Page(s) 440, filed on July 31, 2015 in the Office of the LeFlore County Clerk, being more particularly described by metes and bounds with a true base bearing being North 89 degrees 48 minutes 41 seconds East, along the North line of the Northeast Quarter of Section 12, Township 3 North, Range 21 East, more particularly described as follows:

Commencing at the corner of Sections 1, 2, 11 and 12, marked with ½ inch diameter steel pin with yellow cap stamped D PageJR PLS 1566;

Thence, North 89 degrees 43 minutes 41 seconds East, along the line between Sections 1 and 12, a distance of 2645.64 feet to the Quarter Section corner between Sections 1 and 12, marked with an unidentified 3/8 inch steel pin;

Thence, North 89 degrees 48 minutes 41 seconds East, along the line between Sections 1 and 12, a distance of 578.10 feet to a calculated point, not monumented;

Thence, South 00 degrees 11 minutes 19 seconds East, perpendicular the line between Sections 1 and 12, a distance of 226.24 feet to the Southwesterly corner of a parcel of land described in Book 2020, Page 786, filed December 1, 2017 in the Office of the LeFlore County Clerk, identical with the Northwesterly corner of Lot 12 in Block 58 of the Original Townsite of Talihina as filed in the Office of the LeFlore County Clerk, marked with an unidentified 3/8 inch steel pin and the Point of Beginning of the herein described parcel;

Thence, North 52 degrees 43 minutes 55 seconds East, along Southerly line of a parcel of land described in Book 2020, Page 786, filed December 1, 2017 in the Office of the LeFlore County Clerk and continuing along the Southerly line of a parcel of land described in Book 1943, Page 440, filed July 31, 2015 in the Office of the LeFlore County Clerk, identical with the Northerly line of Block 58 of the Original Townsite of Talihina, a distance of 375.25 feet to a point at the intersection of the Northerly line of Block 58 of the Original Townsite of Talihina and the Quarter Section line between said Sections 1 and 12, Township 3 North, Range 21 East, not monumented;

Thence, South 89 degrees 48 minutes 41 seconds West, along the Quarter Section line between said Sections 1 and 12, Township 3 North, Range 21 East, a distance of 497.06 feet to a point at the intersection of the Northerly line of the abandoned St. Louis and San Francisco Railroad in the Original Townsite of Talihina and the Quarter Section line between said Sections 1 and 12, Township 3 North, Range 21 East, identical with the Northerly line of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk and Northerly right of way of the abandoned St. Louis and San Francisco Railroad, not monumented;

Thence, South 52 degrees 40 minutes 34 seconds West, along the Northerly line of a parcel of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk, identical with the Northerly right of way of the abandoned St. Louis and San Francisco Railroad, a distance of 2.22 feet to the Northwesterly corner of a parcel of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk, marked with an unidentified ¼ inch diameter steel pipe;

Thence, South 41 degrees 45 minutes 21 seconds East, along the westerly line of a parcel of land as described in Book 844, Page 724, filed April 15, 1985 in the Office of the LeFlore County Clerk and continuing along the westerly line of a parcel of land described in Book 2020, Page 786, filed December 1, 2017 in the Office of the LeFlore County Clerk, a distance of 300.61 feet to a 3/8 diameter steel pin being the Point of Beginning, containing 1.30 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST. Exhibit A, attached herein, is the aerial photograph of general area of location.

"This description and this deed is intended to convey to the United States any interest that the Choctaw Nation of Oklahoma may have in the described tract or any interest it may have acquired by virtue of a deed from Town of Talihina, a municipal corporation, dated April 10, 1985, and filed or record at **Book 844, Page 724**, in LeFlore County, Oklahoma; Choctaw Nation Enterprises Corporation, dated November 30, 2017, and filed or record at **Book 2020, Page 786**, in LeFlore County, Oklahoma; Town of Talihina, dated July 31, 2015, and filed or record at **Book 1943, Page 440**, in LeFlore County, Oklahoma."

BE IT FURTHER ENACTED by the Tribal Council that this Bill be cited as approval of the property's current utilization to facilitate self-determination and provide governmental services to Tribal citizens and approval of its current improvements, which include a tribal community center, optometry clinic, and parking lot. The Nation plans to continue utilizing the property for the same purposes.

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CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on September 12, 2020. I further certify that the foregoing Council Bill CB- 109 -20 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes and zero (0) abstaining.



Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Patton, Chief
The Choctaw Nation of Oklahoma

Date: 9-14-20

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Purpose/Need of Council Bill: The Nation seeks to place 3.08 acres of real property located at 100 Railroad Street, Talihina, LeFlore County, Oklahoma in trust. The property will be utilized to facilitate self-determination and provide governmental services to Tribal citizens. Currently the property is improved with a tribal community center and a optometry clinic, and parking lot. This acquisition will provide easier access to community gatherings for Tribal citizens, and promoting healthy living by providing a comprehensive eye clinic. The Nation plans to continue utilizing the property for the same purposes.

Title of Council Bill: TO AUTHORIZE THE CHIEF TO PLACE PROPERTY AT LEFLORE COUNTY IN TRUST STATUS WITH THE UNITED STATES OF AMERICA

Agency: Choctaw Nation - Land and Title

Budget: N/A

Match Required: N/A

Request By/Project Director: Donna Loper, Executive Director of Land & Title, Brad Mallett, SEO, Legal and Compliance

EXHIBIT
A

