

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

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**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

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**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 17.23 acres of real property located at 1346 Martin Luther King Dr., Broken Bow, McCurtain County, Oklahoma. See Exhibit A. The subject property is within the exterior treaty boundaries of the Choctaw Nation of Oklahoma and as such, is within the Nation's reservation identified in the Treaty of April 28, 1866, (14 Stat. 769).

**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 1346 Martin Luther King Dr., Broken Bow, McCurtain County, Oklahoma. 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, a Head Start, a medical clinic, and a food distribution facility. This acquisition will provide easier access to community gatherings for Tribal citizens, and head start for children to gain a good start in life and readiness skills that best promote the child's success. The Nation also has a commitment to improving a healthier lifestyle by providing a medical clinic and a food distribution facility to promoting healthy living and improving the quality of life for Tribal citizens. 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;

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

**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 Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of Section 17, Township 6 South, Range 25 East of the Indian Meridian and Base Line, McCurtain County, Oklahoma, being all of a parcel of land described in Book 748, Page(s) 463-464, filed on October 21, 2005 in the Office of the McCurtain County Clerk, being more particularly described by metes and bounds with a true base bearing being North 00 degrees 05 minutes 17 seconds East, along the West line of Southwest Quarter (SW¼) in Section 17, Township 6 South, Range 25 East, more particularly described as follows:

Commencing at the corner Sections 17, 18, 19 and 20, marked with a 5/8 inch steel pin, filed with the Oklahoma Department of Libraries on August 29, 2001;

**Thence**, North 00 degrees 05 minutes 17 seconds East, along the line between Sections 17 and 18, a distance of 300.00 feet to a point on the line between Sections 17 and 18, identical with a Southwesterly point of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with a ½ inch diameter steel pin with i.d. cap stamped Pollard, and the Point of Beginning of the herein described parcel;

**Thence**, continuing North 00 degrees 05 minutes 17 seconds East, along the line between Sections 17 and 18, identical with the West line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 182.11 feet to a point on the South Right of Way line of U.S. Highway 70, as described in Book 528, Page 658, identical with the Northwesterly corner of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with a 5/8 inch diameter steel pin with a 2½ inch aluminum cap marked D PageJR PLS1566;

**Thence**, North 61 degrees 45 minutes 31 seconds East, along the South Right of Way line of U.S. Highway 70, as described in Book 528, Page 658, identical with the Northerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 505.69 feet, marked with a 5/8 inch diameter steel pin with a 2½ inch aluminum cap marked D PageJR PLS 1566;

**Thence**, North 28 degrees 14 minutes 29 seconds West, along the South Right of Way line of U.S. Highway 70, as described in Book 528, Page 658, identical with the Northerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 30.00 feet to a point on the South Right of Way line of U.S. Highway 70, as described in Book 33, Page 221, identical with the Northerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with a 5/8 inch diameter steel pin with a 2½ inch aluminum cap marked D PageJR PLS 1566;

**Thence**, North 61 degrees 45 minutes 31 seconds East, along the South Right of Way line of U.S. Highway 70, as described in Book 33, Page 221, identical with the Northerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 600.00 feet, marked with a 5/8 inch diameter steel pin with a 2½ inch aluminum cap marked D PageJR PLS 1566;

**Thence**, North 78 degrees 27 minutes 28 seconds East, continuing along the South Right of Way line of U.S. Highway 70, as described in Book 528, Page 658, identical with the Northerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 104.40 feet, marked with a 5/8 inch diameter steel pin with a 2½ inch aluminum cap marked D Page Jr PLS1566;

**Thence**, North 61 degrees 45 minutes 31 seconds East, continuing along the South Right of Way line of U.S. Highway 70, as described in Book 528, Page 658, identical with the Northerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 83.45 feet to the Northeasterly corner of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the Northwest corner of a parcel of land described in Book 613, Page 68, filed March 4, 1998 in the Office of the McCurtain County Clerk, marked with a 5/8 inch diameter steel pin with a 2½ inch aluminum cap marked D Page Jr PLS1566;

**Thence**, South 00 degrees 05 minutes 17 seconds West, along the East line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the West lines of parcels of land described in Book 613, Page 68, filed March 4, 1998 in the Office of the McCurtain County Clerk

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and in Book 413, Page 274, filed September 11, 1980 in the Office of the McCurtain County Clerk, respectively, a distance of 1087.24 feet to the Southeast corner of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with a point on the South line of the Southwest Quarter of Section 17, Township 6 South, Range 25 East of the Indian Base and Meridian in Choctaw County, Oklahoma, marked with an unidentified MG nail;

**Thence**, South 89 degrees 44 minutes 40 seconds West, along the South line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the South line of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 17, Township 6 South, Range 25 East of the Indian Base and Meridian in Choctaw County, Oklahoma, a distance of 85.00 feet to a corner of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the Southeast corner of a parcel of land described in Book 970, Page 1, filed August 8, 2017 in the Office of the McCurtain County Clerk, marked with an unidentified MAG nail;

**Thence**, North 00 degrees 15 minutes 20 seconds West, along a southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the East line of a parcel of land described in Book 970, Page 1, filed August 8, 2017 in the Office of the McCurtain County Clerk, a distance of 150.00 feet to the Northeast corner of a parcel of land described in Book 970, Page 1, filed August 8, 2017 in the Office of the McCurtain County Clerk, identical with a corner on a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with  $\frac{1}{2}$  inch diameter steel pin with i.d. cap stamped Maye LS 834;

**Thence**, South 89 degrees 44 minutes 40 seconds West, along a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the North line of a parcel of land described in Book 970, Page 1, filed August 8, 2017 in the Office of the McCurtain County Clerk, a distance of 155.00 feet to the Northwest corner of a parcel of land described in Book 970, Page 1, filed August 8, 2017 in the Office of the McCurtain County Clerk, identical with a corner on a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with  $\frac{1}{2}$  inch diameter steel pin, with i.d. cap stamped Maye LS 834;

**Thence**, South 00 degrees 15 minutes 20 seconds East, along a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the West line of a parcel of land described in Book 970, Page 1, filed August 8, 2017 in the Office of the McCurtain County Clerk, a distance of 150.00 feet to the Southwest corner of a parcel of land described in Book 970, Page 1, filed August 8, 2017 in the Office of the McCurtain County Clerk, identical with a corner on a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, said corner being on the South line of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 17, Township 6 South, Range 25 East of the Indian Base and Meridian in the Choctaw County, Oklahoma, marked with an unidentified MAG nail;

**Thence**, South 89 degrees 44 minutes 40 seconds West, along the Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, identical with the South line of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 17, Township 6 South, Range 25 East of the Indian Base and Meridian in Choctaw County, Oklahoma, a distance of 415.12 feet to a corner on a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with an unidentified MAG nail;

**Thence**, North 00 degrees 05 minutes 08 seconds East, along a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 180.00 feet to a corner on a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with a  $\frac{5}{8}$  inch diameter steel pin with a  $2\frac{1}{2}$  inch aluminum cap marked D Page JR PLS 1566;

**Thence**, North 46 degrees 56 minutes 25 seconds West, along a Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 174.92 feet to a corner on a Southerly line of a parcel of land described in Book 748, Page 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, marked with a  $\frac{5}{8}$  inch diameter steel pin with a  $2\frac{1}{2}$  inch aluminum cap marked D Page JR PLS 1566;

**Thence**, South 89 degrees 44 minutes 41 seconds West, along the Southerly line of a parcel of land described in Book 748, Page(s) 463-464, filed October 21, 2005 in the Office of the McCurtain County Clerk, a distance of 352.00 feet to a  $\frac{1}{2}$  inch diameter steel pin with i.d. cap stamped Pollard, being the Point of Beginning, containing **17.23 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.

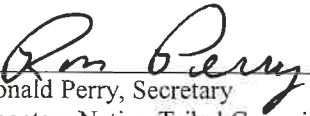
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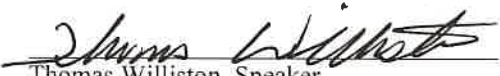
"This description and this deed is intended to convey to the United States any interest that the Choctaw Nation of Oklahoma may have in the described tract or any interest it may have acquired by virtue of a deed from First State Bank of Idabel, a banking corporation, Successor by merger to American State Bank, an Oklahoma Banking Corporation, dated October 14, 2005, and filed or record at Book 748, Page(s) 463-464, in McCurtain 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, a Head Start, a medical clinic, and food distribution facility. The Nation plans to continue utilizing the property for the same purposes.

**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-110-20 was adopted at such meeting by the affirmative vote of twelve (12 ) members, zero (0 ) negative votes and zero (0 ) abstaining.*

  
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Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Gary Batton, Chief  
The Choctaw Nation of Oklahoma

Date: 9-14-20

**CB- 110-20**

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**Purpose/Need of Council Bill:** This bill proposes to place 17.23 acres of real property located at 1346 Martin Luther King Dr., Broken Bow, McCurtain County, Oklahoma in to trust. See Exhibit A. The property 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, a Head Start, a medical clinic, and a food distribution facility. This acquisition will provide easier access to community gatherings for Tribal citizens, and head start for children to gain a good start in life and readiness skills that best promote the child's success. The Nation also has a commitment to improving a healthier lifestyle by providing a medical clinic and a food distribution facility to promoting healthy living and improving the quality of life for Tribal citizens. The Nation plans to continue utilizing the property for the same purposes.

**Title of Council Bill:** TO AUTHORIZE THE CHIEF TO PLACE PROPERTY AT MCCURTAIN 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

