

**TO AMEND TO CB-139-16, AS AMENDED IN CB-33-18, A COUNCIL BILL
TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN PITTSBURG COUNTY IN TRUST STATUS
WITH THE UNITED STATES OF AMERICA AS AMENDED**

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE THE SECOND AMENDMENT to CB-139-16 by amending the legal description of real property located in Pittsburg County, Choctaw Nation of Oklahoma, for the request to the Secretary of Interior that the property be placed into trust status.

WHEREAS, in CB-139-16, the Council approved a request to the Secretary of the U.S. Department of Interior (the "Secretary") to place certain real property (the "Property") located in Pittsburg County, Oklahoma into trust status. See Exhibit A & B;

WHEREAS, in CB-18-33, the Council approved a request to amend the legal description and acreage of the Property and request to the Secretary to place the Property into trust status. See Exhibit C;

WHEREAS, since the passage of CB-139-16 and CB-18-33, an exchange of deeds between the Choctaw Nation of Oklahoma (the "Nation") and Elks Road Investments, LLC, discovered an error in the land survey;

WHEREAS, the legal description in CB-139-16 and as amended in CB-18-33, must be amended to correct the error to comply with Bureau of Indian Affairs Trust Asset Accounting Management System (TAAMS);

WHEREAS, the Council finds it is in the best interest of the Nation to amend CB-139-16, as amended by CB-18-33 to correct an error found in a land survey and to fully comply with the Bureau of Indian Affairs requirements.

THEREFORE, BE IT ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma, that this bill be cited as approval to amend CB-139-16, as amended by CB-33-18, by striking the legal descriptions in CB-33-18 and inserting the following language:

"BE IT FURTHER ENACTED, that the Tribal Council of the Choctaw Nation of Oklahoma authorizes and approves a request to the U.S. Department of Interior that the certain real property described below be placed into trust status. The subject property is contiguous to trust land on the western boundary, and located 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). The property is described as follows:

Indian Meridian, Oklahoma,

Township 5 North, Range 14 East, Section 24, the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$)

Except a parcel of land more particularly described as follows:

Commencing at the $\frac{1}{4}$ section corner of Sections 19 and 24 on the East boundary of the Township, marked with a found mag nail in an "X" cut in the concrete;

Thence, North 89 degrees 40 minutes 50 seconds West, along the East and West centerline of Section 24, a distance of 80.00 feet to a $\frac{1}{2}$ inch diameter iron rod with plastic cap marked Lemke CA6975 and the Point of Beginning of the herein described parcel;

Thence, North 89 degrees 40 minutes 50 seconds West, continuing on the East and West centerline, a distance of 232.00 feet to a $\frac{1}{2}$ inch diameter iron rod with plastic cap marked Lemke CA 6975;

Thence, South 00 degrees 04 minutes 38 seconds West, parallel with the East line of the aforesaid Northeast Quarter of the Southeast Quarter, a distance of 232.00 feet to a $\frac{1}{2}$ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS1102;

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Thence, South 89 degrees 40 minutes 50 seconds East, parallel with the aforesaid East and West centerline, a distance of 232.00 feet to a ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OKRPLS1539 CFEDS1102;

Thence, North 00 degrees 04 minutes 38 seconds East, parallel with the East line of the aforesaid Northeast Quarter of the Southeast Quarter, a distance of 232.00 feet to a ½ inch diameter iron rod with plastic cap marked Lemke CA 6975 being the Point of Beginning, containing 38.75 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; AND,

A parcel of land situated in the Southeast Quarter of the Southeast Quarter (SE¼SE¼) of Section 24, Township 5 North, Range 14 East, Indian Meridian, Pittsburg County, Oklahoma, and being more particularly described as follows:

Beginning at the corner of Sections 19, 24, 25 and 30, on the East boundary of the aforesaid Township, marked with a sandstone 15 inches X 7 inches protruding 15 inches above the ground with a cut "X" on top and accepted as the original GLO corner;

Thence, South 89 degrees 58 minutes 40 seconds West, on the line between Sections 24 and 25, a distance of 157.00 feet to a found 3/8 inch diameter iron rod with plastic cap marked Perry LS1073;

Thence, North 06 degrees 37 minutes 14 seconds East, a distance of 1115.77 feet to found 3/8 inch diameter iron rod with plastic cap marked Perry LS 1073;

Thence, North 89 degrees 32 minutes 23 seconds West, a distance of 628.54 feet to the Northeast corner of a tract of land deeded to Grantham Enterprises and recorded in Book 2303, Page 85, at the office of the Pittsburg County Clerk, marked with a ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS1102;

Thence, North 89 degrees 24 minutes 48 seconds West, along the North line of the aforesaid tract granted to Grantham Enterprises, a distance of 658.40 feet to the intersection with the North and South centerline of the Southeast ¼ of the aforesaid Section 24, identical with the Northwest corner of the aforesaid tract, marked with a ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS1102;

Thence, North 00 degrees 03 minutes 37 seconds East, along the aforesaid North and South centerline, a distance of 203.90 feet to the Southeast 1/16 Section corner of Section 24, marked with a ½ inch diameter iron rod with a damaged plastic cap;

Thence, South 89 degrees 51 minutes 05 seconds East, along the East and West centerline of the Southeast ¼ of the aforesaid Section 24, 1316.82 feet to the South 1/16 Section corner of Sections 19 and 24, on the East boundary of the aforesaid Township, marked with a ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS1102;

Thence, South 00 degrees 04 minutes 38 seconds West, along the line between Sections 19 and 24, identical with the line between Ranges 14 and 15 East, a distance of 1320.54 feet to a sandstone 15 inches X 7 inches protruding 15 inches above the ground with a cut "X" on top, and accepted as the original GLO corner being the Point of Beginning, containing 8.68 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; AND,

Indian Meridian, Oklahoma, Township 5 North, Range 15 East, Section 19, Lot 4, containing 40.05 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

The areas described aggregate 87.48 acres. 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 City of McAlester, Oklahoma, a municipal corporation, dated November 6, 2013, and filed of record at Book 2073, Page 272, in Pittsburg County, Oklahoma, and Quit Claim Deed from City of McAlester, Oklahoma, a municipal corporation, dated September 11, 2018, and filed of record at Book 2379, Page 338-339, in Pittsburg County, Oklahoma, and Quit Claim Deed from Elks Road Investments, LLC, dated April 26, 2019, and filed of record at Book 2418, Page 455-457, in Pittsburg County, Oklahoma, and Quit Claim Deed from the Choctaw Nation of Oklahoma, dated June 12, 2019, and filed of record at Book 2418, Page 653-654, in Pittsburg County, Oklahoma."

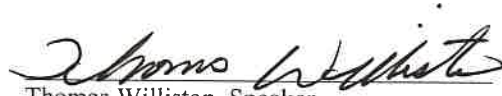
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CERTIFICATION,


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- 111 - 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 Batton, Chief
The Choctaw Nation of Oklahoma

Date 9-14-20

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Purpose/Need of Council Bill: This Council Bill 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 property in Pittsburg County, Oklahoma, into trust status in accordance with the Bureau of Indian Affairs policy and procedure for the acquisition of land. The Nation initially stated that there would be housing development plans for the property and the legal description adjusted for that purpose. This bill seeks to amend the legal description due to the exchange of deeds between the Nation and Elks Road Investment.

**Title of Council Bill: TO AMENDMENT CB-33-18 AND TO AUTHORIZE THE CHIEF TO PLACE
PROPERTY IN PITTSBURG COUNTY IN TRUST STATUS WITH THE UNITED STATES OF
AMERICA AS AMENDED**

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

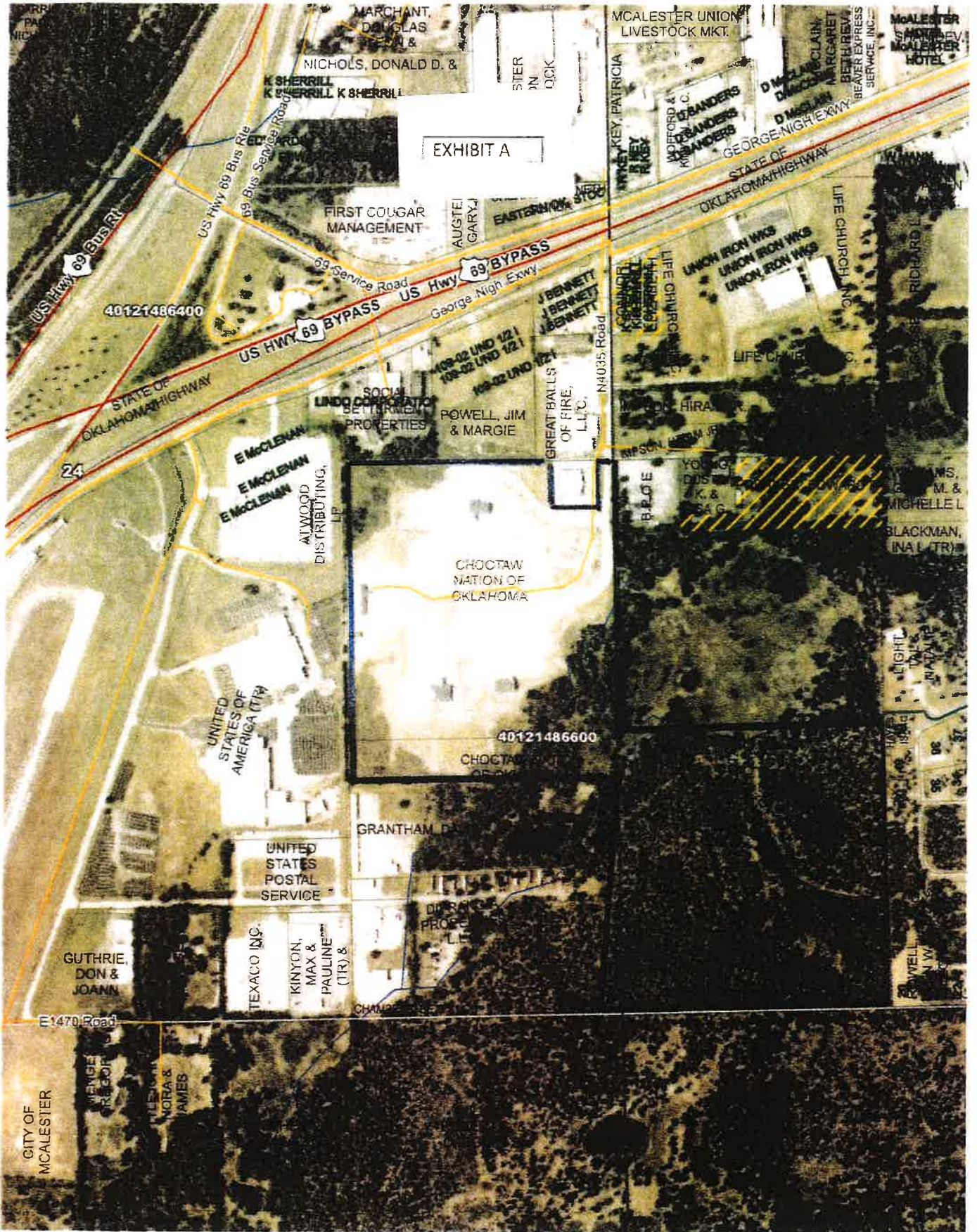


EXHIBIT A

40121486400

40121486600

CROCTAW NATION OF OKLAHOMA

LINDO CORPORATE BEHAVIORAL PROPERTIES

E McCLENNAN E McCLENNAN ALWOOD DISTRIBUTING LP

UNITED STATES OF AMERICA (TR)

UNITED STATES POSTAL SERVICE

GUTHRIE, DON & JOANN

TEXACO INC. KINYON, MAX & PAULINE (TR) &

DIVERSIFIED PROPERTIES LP

GRANTHAM D.

MCALESTER UNION LIVESTOCK MKT.

MCALESTER HOTEL

GEORGE HIGH EXWY

STATE OF OKLAHOMA HIGHWAY

LIFE CHURCH INC.

UNION IRON WKS UNION IRON WKS UNION IRON WKS

J BENNETT J BENNETT J BENNETT

GREAT BALLS OF FIRE, LLC

POWELL, JIM & MARGIE

HIRAN

YOUNG DIST. CO. INC. (TR)

BLACKMAN, INAL (TR)

WRIGHT, T & M & MICHELLE L

WYATT, N W

WYATT, N W

WYATT, N W

WYATT, N W

WYATT, N W

CITY OF MCALESTER