

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN PUSHMATAHA 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 27.82 acres of real property located at 400 SW "O" Street, Antlers, Pushmataha 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). See Exhibit A;

WHEREAS, the Nation has determined the need to place land into trust to increase the tribal 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 400 SW "O" Street, Antlers, Pushmataha 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. This acquisition will provide easier access to community gatherings 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;

WHEREAS, the Council has determined it is in the best interest of the Nation to place the property described below, located in Pushmataha 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 the following property described below into trust for the purpose of increasing the tribal trust land base:

A tract of land located in the east half of the southeast quarter (E1/2SE1/2) of section 5, township 4 south, range 16 east of the Indian Base and Meridian, Pushmataha County, Oklahoma, being more particularly described as follows:

Beginning at a found 1/2 inch diameter iron rod with cap marked "CLS CA5072" in the west line of said E1/2SE1/4, 2011.79 feet South 00°10'12" East (record south 2010') of the northwest corner of the south half of the southeast quarter of the northeast quarter (S1/2SE1/4NE1/4), said point being 1349.87 feet South 00°05'27" East and 1316.37 feet South 89°41'10" West of a found ODOT Brass Monument marking the northeast corner of the southeast quarter (SE1/4) of said section 5;

THENCE, North 89°41'10" East, a distance of 1002.24 feet (record east 1005') to a found 1/2 inch diameter iron rod with illegible cap;

THENCE, South 00°06'30" East, a distance of 165.01 feet (record south 165') to a set mag nail with washer marked "BMA CA5975";

THENCE, North 89°40'48" East, a distance of 314.08 feet (record east 315') to a set mag nail with washer marked "BMA CA5975" in the east line of said SE1/4;

THENCE, South 00°05'27" East, along said east line, a distance of 794.92 feet (record south 795') to a found mag nail with washer marked "Page Jr LS1566"; said point being the northeast corner of the south half of the south half of the southeast quarter of the southeast quarter (S1/2S1/2SE1/4SE1/4) of section 5;

THENCE, South 89°39'03" West, along the north line of said S1/2S1/2SE1/4SE1/4, a distance of 1315.05 feet (record west 1320') to the northwest corner thereof, said point marked by a found 1/2 inch diameter iron rod with cap marked "CLS CA5072";

THENCE, North 00°10'12" West, along the west line of the east half of the southeast quarter (E1/2SE1/4) a distance of 960.71 feet (record 960') to the **TRUE POINT OF BEGINNING**, containing 27.82 acres of land.

BASIS OF BEARINGS – All bearings contained in this legal description are based upon True North.

LESS AND EXCEPT all oil, gas and other minerals lying in and under said property.

"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 Choctaw Nation Enterprises, Inc, dated November 17, 2017, and filed or record at Book 0588, Page 361, in Pushmataha County, Oklahoma; and The Pushmataha County Chamber of Commerce, dated July 25, 1977, and filed or record at Book 242, Page 210, in Pushmataha 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, head start, wellness center, food distribution facility, and a care center. The Nation plans to continue utilizing the property for the same purposes.

CERTIFICATION

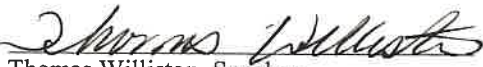
I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that eleven (11) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on November 14, 2020. I further certify that the foregoing Council Bill CB-17 -21 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes and zero (0) abstaining.

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Ronald Perry, Secretary
Choctaw Nation Tribal Council

Date: 11-16-20



Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Patton, Chief
The Choctaw Nation of Oklahoma

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Purpose/Need of Council Bill: This bill proposes to place 27.82 acres of real property located at 400 SW "O" Street, Antlers, Pushmataha 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, head start, wellness center, food distribution facility, and care center. 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 care center, a food distribution facility, and a wellness center to promote healthy living and improving the quality of life of Tribal citizens.

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