

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN LATIMER COUNTY INTO 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;

WHEREAS, the Nation is eligible to utilize the fee-to-trust application process to request the Secretary of the Interior (the "Secretary") to acquire land in trust for Tribes. 25 C.F.R. pts 151 (2020). The authority to acquire the proposed acquisition for the Nation is contained in Section 5 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 5108, formerly 25 U.S.C. 465);

WHEREAS, the Nation has fee title to 1.53 acres of real property located at 900 W. Main Street, Wilburton, Latimer 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 Council has determined it is in the best interest of the Nation to place this land into trust to accommodate increase in governmental services for tribal members, promote tribal self-determination, sovereignty, self-sufficiency and economic independence.

WHEREAS, 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), and the Nation expects tribal membership to increase along with the need for tribal services;

WHEREAS, the subject property is located at 900 W. Main Street, Wilburton, Latimer County, Oklahoma, and is currently used to provide additional parking space for an existing travel plaza in trust for the Nation and for delivery of services to Tribal members. The Nation plans to continue utilizing the property for the same purposes;

WHEREAS, the Nation request that the Secretary of the United States Department of the Interior place the subject property into trust status for the benefit of the Choctaw Nation of Oklahoma and its members; and

WHEREAS, the Council has determined it is in the best interest of the Nation to place the property described below, located in Latimer County, Oklahoma into trust status with the United States.

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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 parcel of land situated in a part of the northeast quarter (NE1/4) of section 17, township 5 north, range 19 east of the Indian Meridian and Base Line, Latimer County, Oklahoma, being a portion of that parcel of land described in Book 715, Page 603, filed April 25, 2008, in the Office of the Latimer County Clerk, and described in Book 543, Page 605, filed July 16, 1999 in the Office of the Latimer County Clerk being a part of Lots 83, 84, 85, 86, 87, 96, 97, 102, 111, and a part of Berkeley Street lying south of State Highway 270 of Mountain View Addition to the City of Wilburton as filed on June 17, 1911 in the Office of the Latimer County Clerk, being more particularly described by metes and bounds with a true base bearing being North 00° 04' 04" East, along the east line of the northeast quarter in section 17, township 5 north, range 19 east, more particularly described as follows:

Commencing at the quarter section corner of sections 16 and 17, marked with an unidentified 1/2 inch diameter steel pin, filed with the Oklahoma Department of Libraries on January 15, 1983, January 27, 1994, October 30, 2008, March 30, 2013;

Thence, North 00° 04' 04" East, along the east line of the northeast quarter of section 17, a distance of 2657.40 feet to the corner of sections 8, 9, 16, and 17, marked with an unidentified 3/4 inch steel pin filed with the Oklahoma Department of Libraries on January 27, 1994, April 30, 2004, and January 30, 2008, October 30, 2008, March 30, 2013;

Thence, North 89° 38' 02" West, along the north line of the northeast quarter of section 17, a distance of 2273.70 feet to a point on the north line of the northeast quarter of section 17, marked with a mag nail with 1.5 inch washer marked DPage Jr PLS 1566;

Thence, South 00° 15' 49" East, a distance of 25.00 feet to the northwest corner of lot 87 of Mountain View Addition to the City of Wilburton, marked with a 5/8 inch diameter steel pin with a 2.5 inch aluminum cap marked DPage Jr PLS 1566 and the point of the POINT OF BEGINNING of the herein described parcel;

Thence, South 89° 38' 02" East, along the north line of lots 83, 84, 85, 86, and 87 of Mountain View Addition to the City of Wilburton, a distance of 211.60 feet, to a point marked with a 5/8 inch diameter steel pin with a 2.5" aluminum cap marked DPage Jr. PLS 1566;

Thence, South 00° 15' 49" East, a distance of 164.88 feet, to a point on the northerly right-of-way line of the Arkansas-Oklahoma Railway Company, marked with a 5/8 inch diameter steel pin with a 2.5" aluminum cap marked DPage Jr. PLS 1566;

Thence, southwesterly along the northerly right-of-way line of the Arkansas-Oklahoma Railway Company with a non tangent curve turning to the right with an arc length of 1.13 feet, with a radius of 4548.53 feet, with a chord bearing of South 54° 36' 40" West, with a chord length of 1.13 feet to a point, marked with a 5/8 inch diameter steel pin with a 2.5" aluminum cap marked DPage Jr PLS 1566;

Thence, continuing southwesterly along the northerly right-of-way line of the Arkansas-Oklahoma Railway Company with a non-tangent compound curve turning to the right with an arc length of 314.03 feet, with a radius of 10065.40 feet, with a chord bearing of South 55° 50' 41" West, with a chord length of 314.02 feet to the intersection of the northerly right-of-way line of the Arkansas-Oklahoma Railway Company and the east line of lot 106 of Mountain View Addition to the City of Wilburton, marked with a 5/8 inch diameter steel pin with a 2.5" aluminum cap marked DPage Jr. PLS 1566;

Thence, North 00° 15' 49" West, along the east line of lots 88, 95, 98, 101, 103, and 106 of Mountain View Addition to the City of Wilburton a distance of 343.51 feet to the northeast corner of lot 88 of Mountain View Addition to the City of Wilburton, marked with a 5/8 inch diameter steel pin with a 2.5" aluminum cap marked DPage Jr. PLS 1566;

Thence, South 89° 38' 02" East, parallel with the north line of the northeast quarter of section 17, a distance of 50.00 feet to a 5/8 inch diameter steel pin with a 2.5" aluminum cap marked DPage Jr. PLS 1566 being the **POINT OF BEGINNING**, containing 1.53 acres of land.

Basis of Bearings: North 00°04'04" East, along the line between sections 16 and 17, by R.T.K G.P.S observation, referenced to the true meridian.

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

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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 Samuel R. Ludington, Jr. and his wife, Elizabeth Ann Ludington; and, Samuel R. Ludington, Jr. as Trustee of the Samuel R. Ludington, Jr. Revocable Living Trust dated the 8th day of December, 2006; and, Elizabeth Ann Ludington as Trustee of the Elizabeth Ann Ludington Revocable Living Trust dated the 8th of December, 2006, Book 715, Page 603, in Latimer County, Oklahoma, and land described in Case No. CV-2020-40, filed in District Court, Latimer County, Oklahoma, dated December 2, 2020, and filed of record at 895, Page 437, in Latimer County, Oklahoma."

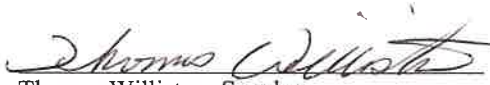
BE IT FURTHER ENACTED by the Tribal Council that this Bill be cited as approval of the property's current utilization to facilitate self-determination and provide additional parking for an existing travel plaza which is held in trust for the Nation. The Nation plans to continue utilizing the property 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 February 13, 2021. I further certify that the foregoing Council Bill CB- 37 -21 was adopted at such meeting by the affirmative vote of eleven (11) 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
Choctaw Nation of Oklahoma

Date: 2-16-21

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Purpose/Need of Council Bill: This bill proposes to place 1.53 acres of real property located at 900 W. Main Street, Wilburton, Latimer 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 additional parking for an existing travel plaza which is held in trust for the Nation and presently situated on the western boundary of the property. The Nation plans to continue utilizing the property for the same purposes.

Title of Council Bill: TO AUTHORIZE THE CHIEF TO PLACE PROPERTY AT LATIMER 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, Kelly McKaughan, SEO, Integrated Services

