

TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN ATOKA 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, 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 Chief 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 50.57 acres of real property located in Atoka County, Oklahoma. The subject property is contiguous to trust land on the northern boundary and located within the current jurisdictional boundaries of the Nation. The property is described as follows:

LEGAL DESCRIPTION (as filed in Book 632, Page 173 in the office of the Atoka County Clerk):

The following described real property and premises situated in Atoka County, State of Oklahoma, to-wit:

(Tract 1-A)

A tract of land in Section 9, Township 1 South, Range 12 East described as: Commencing at the NE corner of the NW¼ of said Section 9; thence S89°25'23"W a distance of 484.15 feet; thence S05°08'41"W a distance of 1473.49 feet to the Point of Beginning; thence continuing S05°08'41"W a distance of 675.78 feet; thence S82°19'00"E a distance of 631.13 feet to the highway right of way; thence N02°00'48"E, along the highway right of way, a distance of 12.49 feet; thence N07°45'57"E, along the highway right of way, a distance of 662.76 feet; thence N82°19'23"W a distance of 660.78 feet to the Point of Beginning, containing 10 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; AND

(Tract 2-A)

A tract of land in Section 9, Township 1 South, Range 12 East described as: Commencing at the NE corner of the NW¼ of said Section 9; thence S89°25'23"W a distance of 484.15 feet; thence S05°08'41"W a distance of 2149.27 feet to the Point of Beginning; thence continuing S05°08'41"W a distance of 698.34 feet; thence S82°19'00"E a distance of 610.19 feet to the highway right of way; thence N07°33'42"E, along the highway right of way, a distance of 610.08 feet; thence N02°00'46"E, along the highway right of way, a distance of 88.01 feet; thence N82°19'00"W a distance of 631.13 feet to the Point of Beginning, containing 10 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; AND

(Tract 3-A)

A tract of land in Section 9, Township 1 South, Range 12 East described as: Commencing at the NE corner of the NW¼ of said Section 9; thence S89°25'23"W a distance of 484.15 feet; thence S05°08'41"W a distance of 2847.61 feet to the Point of Beginning; thence continuing S05°08'41"W a distance of 733.16 feet; thence S82°19'00"E a distance of 579.27 feet to the highway right of way; thence N07°33'42"E, along the highway right of way, a distance of 732.44 feet; thence N82°19'00"W a distance of 610.19 feet to the Point of Beginning, containing 10 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; AND

LEGAL DESCRIPTION (as filed in Book 674, Page 21 in the office of the Atoka County Clerk):

The following described real property and premises situated in Atoka County, State of Oklahoma, to-wit:

A tract of land in Section 9, Township 1 South, Range 12 East described as follows: Commencing at the South ¼ corner of said Section 9; thence S89°51'55"W a distance of 1114.04 feet; thence N05°08'41"E a distance of 952.04 feet to the Point or Place of Beginning; thence continuing N05°08'41"E, a distance of 778.76 feet; thence S82°19'00"E a distance of 579.25 feet; thence S07°55'47"W a distance

of 778.01 feet; thence N82°19'00"W a distance of 541.41 feet to the Point or Place of Beginning, said tract containing 10.00 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; AND

A tract of land in Section 9, Township 1 South, Range 12 East described as follows: Commencing at the South 1/4 corner of said Section 9; thence S89°51'55"W a distance of 649.80 feet to the Point or Place of Beginning; thence continuing S89°51'55"W a distance of 464.24 feet; thence N05°08'41"E a distance of 952.04 feet; thence S82°19'00"E, a distance of 541.41 feet; thence S07°55'47"W a distance of 279.56 feet; thence S19°29'49"W a distance of 98.02 feet; thence S10°11'10"W a distance of 513.86 feet to the Point or Place of Beginning, said tract containing 10.56 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST,. This tract subject to a 40' roadway (Victoria Road).

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

A tract of land located in Section 9, Township 1 South, Range 12 East of the Indian Base and Meridian, Atoka County, Oklahoma, described as follows: Commencing at the Northeast corner of the Northwest Quarter (NW¼) of said Section 9, said corner marked with an Oklahoma Highway Department Standard Brass Monument Station Number A-3-351; thence North 89 degrees 28 minutes 13 seconds West, along the North line of said NW¼, a distance of 484.15 feet; thence South 06 degrees 15 minutes 05 seconds West a distance of 1473.49 feet to the Point of Beginning, marked with a set ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102; thence South 81 degrees 12 minutes 59 seconds East, a distance of 660.78 feet to a point in the West Right of Way line of U.S. Highway 69, marked with a found ½ inch diameter iron rod; thence along said West Right of Way line for the following seven (7) courses:

1. Thence South 08 degrees 52 minutes 21 seconds West, a distance of 662.76 feet to a found ½ inch diameter iron rod;
2. Thence South 03 degrees 07 minutes 10 seconds West, a distance of 12.49 feet to a found 3/8 inch diameter iron rod;
3. Thence South 03 degrees 07 minutes 10 seconds West, a distance of 88.01 feet to a set ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102;
4. Thence South 08 degrees 40 minutes 09 seconds West, a distance of 1342.52 feet to a found 3/8 inch diameter iron rod;
5. Thence South 09 degrees 02 minutes 11 seconds West, a distance of 1057.56 feet to a set ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102;
6. Thence South 20 degrees 36 minutes 13 seconds West, a distance of 98.02 feet to a set ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS;
7. Thence South 11 degrees 17 minutes 34 seconds West, a distance of 513.42 feet to a point in the South line of the Southwest Quarter (SW¼) of said Section 9, marked with a set ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102;

Thence North 89 degrees 02 minutes 48 seconds West, along said South Line, a distance of 459.85 feet to a set ½ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102;

Thence North 06 degrees 15 minutes 05 seconds East, a distance of 3838.10 feet to the Point of Beginning, containing 50.57 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST. Exhibit 1, attached herein, is the aerial photograph of general area of location.

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 9651 North Highway 69, Stringtown, Atoka County, Oklahoma. The structural improvements on the property consists of one-story brick house and a detached metal garage. The Nation plans to continue utilizing the property for the same purposes. The remainder of the property is vacant and undeveloped land. There will be no change in usage;

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 Nation;

WHEREAS, the Council has determined it is in the best interest of the Nation to place the above-mentioned property in Atoka 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 the property listed below, into trust status in accordance with the Bureau of Indian Affairs policy and procedure for the acquisition of land:

LEGAL DESCRIPTION (as filed in Book 632, Page 173 in the office of the Atoka County Clerk):

The following described real property and premises situated in Atoka County, State of Oklahoma, to-wit:
(Tract 1-A)

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A tract of land in Section 9, Township 1 South, Range 12 East described as follows: Commencing at the South 1/4 corner of said Section 9; thence S89°51'55"W a distance of 649.80 feet to the Point or Place of Beginning; thence continuing S89°51'55"W a distance of 464.24 feet; thence N05°08'41"E a distance of 952.04 feet; thence S82°19'00"E, a distance of 541.41 feet; thence S07°55'47"W a distance of 279.56 feet; thence S19°29'49"W a distance of 98.02 feet; thence S10°11'10"W a distance of 513.86 feet to the Point or Place of Beginning, said tract containing 10.56 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST,. This tract subject to a 40' roadway (Victoria Road).

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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 October 12, 2019. I further certify that the foregoing Council Bill CB- 13 -20 was adopted at such meeting by the affirmative vote of (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 Batten, Chief
The Choctaw Nation of Oklahoma

Date: 10-14-19

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 Atoka County, Oklahoma, into trust status in accordance with the Bureau of Indian Affairs policy and procedure for the acquisition of land.

Title of Council Bill: TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN ATOKA 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

UNITED STATES OF AMERICA IN

CHOCTAW NATION OF OKLAHOMA

LITTLE DAN'S PRUDENCE

YO RANCH LLC

BURGESSON EVERETT ROBERT

CHOCTAW NATION OF OKLAHOMA

SAGACITY

4000558760

CHOCTAW NATION OF OKLAHOMA

UNITED STATES OF AMERICA IN

Missouri Kansas Texas Railroad

United States Highway 69

W.K. RAILROAD

STRINGTOWN MATERIALS

CHOCTAW NATION OF OKLAHOMA

U.S. HIGHWAY #69

Stringtown

STRINGTOWN MATERIALS LP

