

**TO AUTHORIZE THE CHIEF OF THE CHOCTAW NATION OF OKLAHOMA TO PLACE PROPERTY  
IN PITTSBURG 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 1.64 acres of fee title land, located on the eastern side of South George Nigh Expressway in McAlester, Pittsburg County, Oklahoma, 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 1.64 acres of real property (the "Subject Property") located on the eastern side of South George Nigh Expressway within the City of McAlester, Pittsburg 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 increases 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 currently owned by the Nation and will be utilized for additional parking and storage for an existing tribal facility. The Subject Property will be used to further facilitate self-determination and sovereignty;

**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; and

**WHEREAS**, the Council has determined it is in the best interest of the Nation to place the property described below, located in Pittsburg 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

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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 the northeast quarter (NE1/4) of the southwest quarter (SW1/4) of section 24, township 5 north, range 14 east, Indian Meridian, Pittsburg County, Oklahoma, and being more particularly described as follows:

**COMMENCING** at the corner of sections 23, 24, 25 and 26, marked with a magnetic nail with shiner marked M&M 1367;**THENCE**, North 89° 58' 41" East, on the line between sections 24 and 25, a distance of 1313.84 feet to the west 1/16 section corner of sections 24 and 25, corner position falls inside an existing building;

**THENCE**, North 00° 01' 54" West, along the north and south centerline of the southwest 1/4 of the aforesaid section 24, a distance of 1329.15 feet to the southwest 1/16 section corner of section 24, marked with a 1 inch diameter brass cap in concrete marked BMA CA5975;

**THENCE**, North 00° 01' 54" West, continuing along the north and south centerline of the southwest 1/4 of the aforesaid section 24, a distance of 38.21 feet to a point in the easterly right-of-way line of U.S. Highway No. 69 marked with a 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFED 1102;

**THENCE**, North 50° 19' 47" East, along said right-of-way line, a distance of 554.85 feet to the POINT OF BEGINNING, marked with a 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFED 1102, said point also being the northwest corner of a tract of land granted to the United States of America in Trust for The Choctaw Nation of Oklahoma, and recorded in Book 929 at Page 151 in the Pittsburg County Clerk's office;

**THENCE**, continuing North 50° 19' 47" East, along said right-of-way line, a distance of 396.26 feet to a 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102;

**THENCE**, South 39° 50' 22" East, along an existing fence line marking the south line of occupancy of a tract of land granted to Walter E. Key and recorded in Book 1894 at Page 447 in the Pittsburg County Clerk's office, a distance of 151.53 feet to a point in the westerly property line of the McAlester Municipal Airport marked with a 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102;

**THENCE**, South 41° 09' 09" West, along said airport property line, a distance of 390.79 feet to a 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS 1102, said point also being the northeast corner of the aforesaid tract of land granted to the United States of America in Trust for The Choctaw Nation of Oklahoma;

**THENCE**, North 42° 35' 44" West, along the north line of the aforesaid tract of land granted to the United States of America in Trust for The Choctaw Nation of Oklahoma, a distance of 214.13 feet to the **POINT OF BEGINNING**, containing 1.64 acres of land.

**BASIS OF BEARINGS:** All bearings contained in this legal description were derived from Global Positioning System (GPS), NAD83 (2011) EPOCH date 2010, referenced to the true meridian.

**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 Virgil Allen, also known as Virgil L. Allen and Menita R. Allen, husband and wife, dated April 19, 2007, and filed of record at Book 1518, Page 470, in Pittsburg 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 and storage lot for an existing tribal facility

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which is held in trust for the Nation and presently situated on the southern boundary of the property. The Nation plans to continue utilizing the property for the same purposes.

**BE IT FURTHER ENACTED** by the Council that this Bill be cited as an acknowledgement that the Chief of the Nation, or his designee, is authorized to prepare, execute, deliver and file any and all agreements, certificates, instruments and documents, in such form and with such terms and provisions as the Chief of the Nation, or his designee, may approve, and to take such other action as he, she or they may deem proper or appropriate, to carry out the intent and purposes of the foregoing enactments.

**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 December 12, 2020. I further certify that the foregoing Council Bill CB- 21 -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

  
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Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
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Gary Batton, Chief  
The Choctaw Nation of Oklahoma

Date: 12-16-20

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**Purpose/Need of Council Bill:** This bill proposes to place 1.64 acres of real property located on the eastern side of South George Nigh Expressway within the City of McAlester, Pittsburg 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 and storage lot for an existing tribal facility which is held in trust for the Nation and presently situated on the southern 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 PITTSBURG 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