

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN 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 (the "Nation") to request the Bureau of Indian Affairs to place property 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 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 3.85 acres of real property located in McCurtain County, Oklahoma. The subject property is contiguous to trust land on the west and south boundaries and located within the current jurisdictional boundaries of the Nation. The property is described as follows:

LEGAL DESCRIPTION (as filed in Book 812, Page 284 in the office of the McCurtain County Clerk):

All that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East described as follows: Beginning North 00°00'00" West, along the West line of the SW $\frac{1}{4}$, 278.00 feet, of the Southwest corner of the SW $\frac{1}{4}$ of said Section 34; thence continue North 00°00'00" West, along the West line of the SW $\frac{1}{4}$ 167.29 feet; thence North 87°51'19" East 210.15 feet; thence South 00°00'00" East 174.93 feet; thence South 89°56'25" West 210.00 feet to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST

LEGAL DESCRIPTION (as filed in Book 858, Page 651 in the office of the McCurtain County Clerk):

All that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East described as follows: Begin 210 feet East of the Northwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34; thence South 250 feet; thence East 180 feet; thence North 250 feet; thence West 180 feet to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

LEGAL DESCRIPTION (as filed in Book 825, Page 4 in the office of the McCurtain County Clerk):

Tract 1: All that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East described as follows: Begin at a point 200 feet North and 390 feet East of the Southwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 34, at a point on the North Right-of-way line of Highway as described in Easement Recorded in Book 1, Page 293; thence North 210 feet to a point 250 feet South of the North line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 34; thence West 105 feet; thence South to the North Right-of-way

line of said Highway; thence Northeasterly along the Highway Right-of-way to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; and

Tract 2: All that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East described as follows: Begin at a point 390 feet East of the Northwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence East 110 feet; thence South to the North boundary line of Highway No. 70; thence in a Southwesterly direction along said highway to a point directly South of the Point of Beginning; thence North to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

LEGAL DESCRIPTION (as filed in Book 565, Page 199 in the office of the McCurtain County Clerk):

All that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East, described as follows: Begin at a point 125 feet North and 210 feet East of the Southwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34; thence North 285 feet; thence East 75 feet; thence South to the Right-of-way of U.S. Highway No. 70; thence in a Southwesterly direction along said Highway Right-of-way to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

A parcel of land situated in a part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East of the Indian Meridian and Base line, McCurtain County, Oklahoma being a combination of parcels of land described in Book 812, Page(s) 284-285, filed on May 19, 2009 in the Office of the McCurtain County Clerk, Book 858, Page(s) 651, filed on March 8, 2012 in the Office of the McCurtain County Clerk, Book 826, Page(s) 228-229, filed on April 8, 2012 in the Office of the McCurtain County Clerk and Book 565, Page(s) 199, filed on November 3, 1994 in the Office of the McCurtain County Clerk, being more particularly described by metes and bounds with a true base bearing being North 00 degrees 00 minutes 29 seconds West, along the west line of the SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East, more particularly described as follows: Commencing at the corner of Sections 3, 4, 33 and 34, marked with an unidentified MAG nail, filed with the Oklahoma Department of Libraries on June 10, 2009; thence North 00 degrees 00 minutes 29 seconds West, along the line between Sections 33 and 34, a distance of 278.00 feet to a point on the line between Sections 33 and 34, marked with a 20d nail and unidentified washer and the POINT OF BEGINNING of the herein described parcel; thence continuing North 00 degrees 00 minutes 29 seconds West, along the line between sections 33 and 34, a distance of 167.29 feet to a point marked with an unidentified MAG nail, identical with the southwest corner of a tract of land as described in Book 714, Page 768, filed December 31, 2003 in the Office of the McCurtain County Clerk; thence North 87 degrees 51 minutes 35 seconds East, along the north line of a tract of land as described in Book 812, Page 284, filed May 19, 2009 in the Office of the McCurtain County Clerk, identical with the south line of a tract of land as described in Book 714, Page 768, filed December 31, 2003 in the Office of the McCurtain County Clerk, a distance of 210.15 feet, marked with a 3/8 inch diameter steel pin with cap marked Pollard; thence North 00 degrees 00 minutes 29 seconds West, along the west line of tract of land described in Book 858, Page 651, filed March 8, 2012 in the Office of the McCurtain County Clerk, identical with the east line of a tract of land as described in Book 714, Page 768, filed December 31, 2003 in the Office of the McCurtain County Clerk, a distance of 207.23 feet to a point on the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, marked with a 1/2 inch diameter steel pin with cap marked Pollard; thence North 89 degrees 56 minutes 32 seconds East, along the north line of a tracts of land described in Book 858, Page 651, filed March 8, 2012 and in Book 826, Page 228, filed April 8, 2010 in the Office of the McCurtain County Clerk, a distance of 290.00 feet, to the northwest corner of a tract of land described in Book 500, Page 846 filed April 7, 1989 in the Office of the McCurtain County Clerk, marked with a 1/2 inch diameter steel pin with no identification cap; thence South 00 degrees 00 minutes 29 seconds East, along the east line of a tract of land described in Book 826, Page 228, filed April 8, 2010 in the Office of the McCurtain County Clerk, identical with the west line of a tract of land described in Book 500, Page 846 filed April 7, 1989 in the Office of the McCurtain County Clerk, a distance of 377.71 feet to a point on the north right of way line of U.S. Highway No. 70, marked with a 5/8 inch diameter steel pin with a 2 1/2 inch aluminum cap marked D Page JR PLS 1566; thence, with a non-tangent curve, along the northerly right of way line of U.S. Highway No. 70, turning to the right with an arc length of 323.36 feet, with a radius of 1759.60 feet, with a chord bearing of South 63 degrees 54 minutes 10 seconds West, with a chord length of 322.90 feet, identical with the south line of tracts of land in Book 826, Page 228, filed April 8, 1989 and in Book 565, Page 199, filed November 3, 1994 to the southeasterly corner of a tract of land described in Book 261, Page 216, filed May 28, 1970 in the Office of the McCurtain County Clerk, marked with a MAG nail and 1 1/2 inch diameter washer, marked D PAGE JR PLS 1566; thence North 00 degrees 00 minutes 29 seconds West, along the

west line of a tract of land described in Book 565, Page 199, filed November 3, 1994, identical with the east line of a tract of land described in Book 261, Page 216, filed May 28, 1970, in the Office of the McCurtain County Clerk, a distance of 137.30 feet to the northeast corner of a tract of land described in Book 261, Page 216, filed May 28, 1970 in the Office of the McCurtain County Clerk, marked with a MAG nail and 1 ½ inch diameter washer, marked D Page JR PLS 1566; thence South 89 degrees 56 minutes 35 seconds West, along the south line of a tract of land described in Book 812, Page 284, filed May 19, 2009 in the Office of the McCurtain County Clerk, identical with the north line of a tract of land described in Book 261, Page 216 filed May 28, 1970 in the Office of the McCurtain County Clerk, a distance of 210.00 to a 20d nail and unidentified washer being the Point of Beginning, containing 3.85 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST. Exhibit A, 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 on the northside of E. Washington Street and N. Indian Road in the City of Idabel, McCurtain, Oklahoma.

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 above-described property in McCurtain County, Oklahoma in trust status with the U.S.A.

THEREFORE, BE IT ENACTED, that the Choctaw 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 into trust status in accordance with the Bureau of Indian Affairs policy and procedure for the acquisition of land the property described as follows:

LEGAL DESCRIPTION (as filed in Book 812, Page 284 in the office of the McCurtain County Clerk):

All that part of the SW¼ of the SW¼ of the SW¼ of Section 34, Township 7 South, Range 24 East described as follows: Beginning North 00°00'00" West, along the West line of the SW¼, 278.00 feet, of the Southwest corner of the SW¼ of said Section 34; thence continue North 00°00'00" West, along the West line of the SW¼ 167.29 feet; thence North 87°51'19" East 210.15 feet; thence South 00°00'00" East 174.93 feet; thence South 89°56'25" West 210.00 feet to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST

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ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

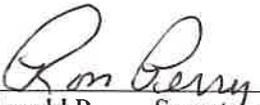
A parcel of land situated in a part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East of the Indian Meridian and Base line, McCurtain County, Oklahoma being a combination of parcels of land described in Book 812, Page(s) 284-285, filed on May 19, 2009 in the Office of the McCurtain County Clerk, Book 858, Page(s) 651, filed on March 8, 2012 in the Office of the McCurtain County Clerk, Book 826, Page(s) 228-229, filed on April 8, 2012 in the Office of the McCurtain County Clerk and Book 565, Page(s) 199, filed on November 3, 1994 in the Office of the McCurtain County Clerk, being more particularly described by metes and bounds with a true base bearing being North 00 degrees 00 minutes 29 seconds West, along the west line of the SW $\frac{1}{4}$ of Section 34, Township 7 South, Range 24 East, more particularly described as follows: Commencing at the corner of Sections 3, 4, 33 and 34, marked with an unidentified MAG nail, filed with the Oklahoma Department of Libraries on June 10, 2009; thence North 00 degrees 00 minutes 29 seconds West, along the line between Sections 33 and 34, a distance of 278.00 feet to a point on the line between Sections 33 and 34, marked with a 20d nail and unidentified washer and the POINT OF BEGINNING of the herein described parcel; thence continuing North 00 degrees 00 minutes 29 seconds West, along the line between sections 33 and 34, a distance of 167.29 feet to a point marked with an unidentified MAG nail, identical with the southwest corner of a tract of land as described in Book 714, Page 768, filed December 31, 2003 in the Office of the McCurtain County Clerk; thence North 87 degrees 51 minutes 35 seconds East, along the north line of a tract of land as described in Book 812, Page 284, filed May 19, 2009 in the Office of the McCurtain County Clerk, identical with the south line of a tract of land as described in Book 714, Page 768, filed December 31, 2003 in the Office of the McCurtain County Clerk, a distance of 210.15 feet, marked with a 3/8 inch diameter steel pin with cap marked Pollard; thence North 00 degrees 00 minutes 29 seconds West, along the west line of tract of land described in Book 858, Page 651, filed March 8, 2012 in the Office of the McCurtain County Clerk, identical with the east line of a tract of land as described in Book 714, Page 768, filed December 31, 2003 in the Office of the McCurtain County Clerk, a distance of 207.23 feet to a point on the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, marked with a 1/2 inch diameter steel pin with cap marked Pollard; thence North 89 degrees 56 minutes 32 seconds East, along the north line of a tracts of land described in Book 858, Page 651, filed March 8, 2012 and in Book 826, Page 228, filed April 8, 2010 in the Office of the McCurtain County Clerk, a distance of 290.00 feet, to the northwest corner of a tract of land described in Book 500, Page 846 filed April 7, 1989 in the Office of the McCurtain County Clerk, marked with a 1/2 inch diameter steel pin with no identification cap; thence South 00 degrees 00 minutes 29 seconds East, along the east line of a tract of land described in Book 826, Page 228, filed April 8, 2010 in the Office of the McCurtain County Clerk, identical with the west line of a tract of land described in Book 500, Page 846 filed April 7, 1989 in the Office of the McCurtain County Clerk, a distance of 377.71 feet to a point on the north right of way line of U.S. Highway No. 70, marked with a 5/8 inch diameter steel pin with a 2 1/2 inch aluminum cap marked D Page JR PLS 1566; thence, with a non-tangent curve, along the northerly right of way line of U.S. Highway No. 70, turning to the right with an arc length of 323.36 feet, with a radius of 1759.60 feet, with a chord bearing of South 63 degrees 54 minutes 10 seconds West, with a chord length of 322.90 feet, identical with the south line of tracts of land in Book 826, Page 228, filed April 8, 1989 and in Book 565, Page 199, filed November 3, 1994 to the southeasterly corner of a tract of land described in Book 261, Page 216, filed May 28, 1970 in the Office of the McCurtain County Clerk, marked with a MAG nail and 1 1/2 inch diameter washer, marked D PAGE JR PLS 1566; thence North 00 degrees 00 minutes 29 seconds West, along the west line of a tract of land described in Book 565, Page 199, filed November 3, 1994, identical with the east line of a tract of land described in Book 261, Page 216, filed May 28, 1970, in the Office of the McCurtain County Clerk, a distance of 137.30 feet to the northeast corner of a tract of land described in Book 261, Page 216, filed May 28,

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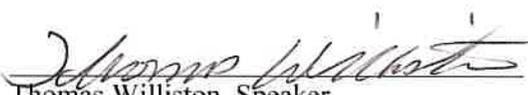
BE IT FURTHER ENACTED, the structural improvements on the property consists of a part of fuel island canopy across boundary line from the nearby travel plaza and a concrete parking area for the travel plaza. The Nation plans to continue utilizing the property for the same purposes. The remainder of the property is vacant and undeveloped land. There will be no change in usage.

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 Dec. 14, 2019. I further certify that the foregoing Council Bill CB- 33 -20 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

Date: 12-19-19



Gary Batton, Chief
The Choctaw Nation of Oklahoma

EXHIBIT A

WHITE

WHITE

MC GAUTHA,
JOYCE &

TILLEY,
ANGELA N

ROBINSON, MARCUS & LISA

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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 McCurtain 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 MCCURTAIN 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, Land & Title; Brad Mallett, SEO, Legal & Compliance