

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN PITTSBURG 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 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 "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 13.02 acres of real property located in Pittsburg County, Oklahoma. The subject property is contiguous to trust land on the western boundary, and located within the current jurisdictional boundaries of the Nation. The property is described as follows:

A tract of land in Lots 68 and 92, Townsite Addition No. 4, and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 5 North, Range 15 East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma, and further described as follows: Beginning at the Southwest Corner of Lot 68; thence North 01 degrees 10 minutes 56 seconds West along the West line of Lot 68 a distance of 180.99 feet to the Southwest Corner of The Springs First Addition; thence North 88 degrees 46 minutes 23 seconds East along The Springs First Addition a distance of 659.99 feet to the Southeast Corner of The Springs First Addition and the East line of Lot 68; thence South 01 degrees 11 minutes 49 seconds East along said East line a distance of 182.39 feet to the Northeast Corner of Lot 92; thence South 01 degrees 11 minutes 49 seconds East along the East line of Lot 92 a distance of 1228.05 feet to the North right-of-way line of Highway 69; thence South 67 degrees 51 minutes 52 seconds West along said right-of-way line a distance of 353.29 feet; thence North 01 degrees 11 minutes 49 seconds West a distance of 1293.33 feet; thence South 88 degrees 53 minutes 36 seconds West and parallel to the North line of Lot 92 a distance of 329.95 feet to the West line of Lot 92; thence North 01 degrees 10 minutes 56 seconds West along the West line of Lot 92 a distance of 61.4 feet to the Point of Beginning, **LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.**

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

A tract of land in Lots 68 and 92, Townsite Addition No. 4, and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 5 North, Range 15 East of the Indian Base and Meridian, Pittsburg County, Oklahoma, being more particularly described as follows: Beginning at the Southwest Corner of Lot 68; thence North 00 degrees 03 minutes 44 seconds East long the West line of Lot 68 a distance of 180.86 feet to the Southwest Corner of The Springs First Addition, said corner marked with a found 3/8 inch diameter iron spike; thence South 89 degrees 58 minutes 57 seconds East along the South line of The Springs First Addition a distance of 659.88 feet to the Southeast Corner of The Springs

First Addition and the East line of Lot 68, said corner marked with a found 3/8 inch diameter iron rod with cap marked Perry LS1073; thence South 00 degrees 02 minutes 51 seconds West along said East line a distance of 182.72 feet to the Northeast Corner of Lot 92, said corner marked with a found stone measuring 13" x 3" on the surface and oriented north/south; thence South 00 degrees 02 minutes 51 seconds West along the East line of Lot 92 a distance of 1232.48 feet to a point in the North right-of-way line of Highway 69, said corner marked with a found 3/8 inch diameter iron rod with cap marked Milligan LS 1661; thence South 69 degrees 23 minutes 43 seconds West along said right-of-way line a distance of 352.90 feet to a found 3/8 inch diameter iron rod; thence North 00 degrees 03 minutes 28 seconds East a distance of 1297.42 feet to a found 5/8 inch diameter iron rod with aluminum cap marked M&M Land Surveying LS1367; thence North 89 degrees 49 minutes 15 seconds West, a parallel to the North line of Lot 92 a distance of 329.95 feet to the West line of Lot 92, said corner marked with a found 5/8 inch diameter iron rod with aluminum cap marked M&M Land Surveying LS 1367; thence North 00 degrees 03 minutes 44 seconds East along the West line of Lot 92 a distance of 60.29 feet to the Point of Beginning, containing 13.02 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 north side of South George Nigh Expressway and contiguous with The Choctaw Nation Health Clinic in McAlester, Pittsburg County, Oklahoma. The property is improved with a gravel parking area for the nearby clinic. 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 Choctaw Nation of Oklahoma;

WHEREAS, the Council has determined it is in the best interest of the Nation to place the above-mentioned property 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 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:

A tract of land in Lots 68 and 92, Townsite Addition No. 4, and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 5 North, Range 15 East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma, and further described as follows: Beginning at the Southwest Corner of Lot 68; thence North 01 degrees 10 minutes 56 seconds West along the West line of Lot 68 a distance of 180.99 feet to the Southwest Corner of The Springs First Addition; thence North 88 degrees 46 minutes 23 seconds East along The Springs First Addition a distance of 659.99 feet to the Southeast Corner of The Springs First Addition and the East line of Lot 68; thence South 01 degrees 11 minutes 49 seconds East along said East line a distance of 182.39 feet to the Northeast Corner of Lot 92; thence South 01 degrees 11 minutes 49 seconds East along the East line of Lot 92 a distance of 1228.05 feet to the North right-of-way line of Highway 69; thence South 67 degrees 51 minutes 52 seconds West along said right-of-way line a distance of 353.29 feet; thence North 01 degrees 11 minutes 49 seconds West a distance of 1293.33 feet; thence South 88 degrees 53 minutes 36 seconds West and parallel to the North line of Lot 92 a distance of 329.95 feet to the West line of Lot 92; thence North 01 degrees 10 minutes 56 seconds West along the West line of Lot 92 a distance of 61.4 feet to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

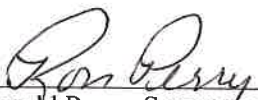
A tract of land in Lots 68 and 92, Townsite Addition No. 4, and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 5 North, Range 15 East of the Indian Base and Meridian, Pittsburg County, Oklahoma, being more particularly

described as follows: Beginning at the Southwest Corner of Lot 68; thence North 00 degrees 03 minutes 44 seconds East long the West line of Lot 68 a distance of 180.86 feet to the Southwest Corner of The Springs First Addition, said corner marked with a found 3/8 inch diameter iron spike; thence South 89 degrees 58 minutes 57 seconds East along the South line of The Springs First Addition a distance of 659.88 feet to the Southeast Corner of The Springs First Addition and the East line of Lot 68, said corner marked with a found 3/8 inch diameter iron rod with cap marked Perry LS1073; thence South 00 degrees 02 minutes 51 seconds West along said East line a distance of 182.72 feet to the Northeast Corner of Lot 92, said corner marked with a found stone measuring 13" x 3" on the surface and oriented north/south; thence South 00 degrees 02 minutes 51 seconds West along the East line of Lot 92 a distance of 1232.48 feet to a point in the North right-of-way line of Highway 69, said corner marked with a found 3/8 inch diameter iron rod with cap marked Milligan LS 1661; thence South 69 degrees 23 minutes 43 seconds West along said right-of-way line a distance of 352.90 feet to a found 3/8 inch diameter iron rod; thence North 00 degrees 03 minutes 28 seconds East a distance of 1297.42 feet to a found 5/8 inch diameter iron rod with aluminum cap marked M&M Land Surveying LS1367; thence North 89 degrees 49 minutes 15 seconds West, a parallel to the North line of Lot 92 a distance of 329.95 feet to the West line of Lot 92, said corner marked with a found 5/8 inch diameter iron rod with aluminum cap marked M&M Land Surveying LS 1367; thence North 00 degrees 03 minutes 44 seconds East along the West line of Lot 92 a distance of 60.29 feet to the Point of Beginning, containing 13.02 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.

BE IT FURTHER ENACTED by the Tribal Council that this Bill be cited as approval that the property's use, which is improved with a gravel parking area for the nearby clinic, will not be changed and while the remainder of the property is vacant and undeveloped land to which there will be no change to the 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 December 14, 2019. I further certify that the foregoing Council Bill CB- 34 -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



Gary Batton, Chief
The Choctaw Nation of Oklahoma

Date: 12-19-19

Berrypatch

BLK 2

EXHIBIT A

THE SPRINGS

FRANKIE
SPENCER
KAYARD
TRAVIS

GABRIEL E

KEY JIMMY
& LAVERNE
(TR)

GUAY, ONERIE

HASS, SUSIE

WELLS, DAVID
BESSIE D

MCDONALD, JIMMY

OVELL
LA M

HUBBLEFIE
VELMA

TONYA R. & RILEY M

UNITED STATES OF AMERICA (TR)

40121486500

CHOCTAW NATION OF OKLAHOMA

PITTSBURG FARM BUREAU

STATE OF OKLAHOMA/HIGHWAY

GEORGE HIGH EXHWY

US Hwy 69 BYPASS

STATE OF OKLAHOMA/HIGHWAY

George High Exhwy

40121486800

CASEY'S MARKETING COMPANY

KUBERNA

AMMS, LLC

ADAM TRUE
VALIE AC
SUPP INC

FARM CREDIT
SERV OF E
CTR INC

SD3, LLC

THE NETWORK

AN

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 Pittsburg 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 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, Land & Title; Brad Mallett, SEO, Legal & Compliance
