

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY AT 2704 CHOCTAW ROAD, POCOLA,
LEFLORE 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 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. 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 5.00 acres of real property located at 2704 Choctaw Road, Pocola, LeFlore County, Oklahoma. The subject property adjoins trust land to the northeast corner, and located within the former, historic reservation boundaries and current jurisdictional boundaries of the Nation. The property is described as follows:

Part of the Northeast Quarter of Lot 1 (PT NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 4, Township 9 North, Range 27 East of the Indian Base and Meridian, LeFlore County, Oklahoma, more particularly described as follows: Beginning at a found $\frac{1}{2}$ inch diameter rebar at the Northeast corner of said Section 4; thence South 00°16'35" East 396.00 feet along the East line of Lot 1 of said Northeast Quarter to a set P.K. Nail; thence North 89°49'00" West 522.78 feet to a set $\frac{1}{2}$ inch diameter rebar; thence North 32°22'43" West 247.66 feet to a set $\frac{1}{2}$ inch diameter rebar at the Southeasterly right-of-way of Choctaw Road; thence North 57°37'17" East 347.93 feet along the Southeasterly right-of-way of Choctaw Road to a found rebar at the North line of Lot 1 of said Northeast Quarter; thence South 89°49'00" East along the North line of Lot 1 of said Northeast Quarter 359.66 feet 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 Government Lot 1 of Section 4, Township 9 North, Range 27 East of the Indian Meridian and Base line, LeFlore County, Oklahoma being all of that parcel of land described in Book 1908, Page 876, filed July 22, 2014, in the Office of the LeFlore County Clerk, being more particularly described by metes and bounds with a true base bearing being South 00 degrees 20 minutes 29 seconds East, along the east line of the northeast quarter in Section 4, Township 9 North, Range 27 East, more particularly described as follows:

Beginning at the corner of Sections 3 and 4, Township 9 North, Range 27 East, and Sections 33 and 34, Township 10 North, Range 27 East, marked with an unidentified $\frac{1}{2}$ inch diameter steel pin, filed with the Oklahoma Department of Libraries on June 18, 1991, October 31, 1996, and January 27, 2012;

Thence, South 00 degrees 20 minutes 29 seconds East, along the line between Sections 3 and 4, identical to the east line of a tract of land as described in Book 1908, Page 876, filed July 22, 2014 in the Office of the LeFlore County Clerk, a distance of 396.00 feet to a point on the line between Sections 3 and 4, marked with a rail road spike;

Thence, North 89 degrees 52 minutes 54 seconds West, along the south line of a tract of land as described in Book 1908, Page 876, filed July 22, 2014 in the Office of the LeFlore County Clerk, identical with the north line of a tract of land as described in Book 2055, Page(s) 17-19, filed January 18, 2019 in the Office of the LeFlore County Clerk, a distance of 522.78 feet, marked with a ½ inch diameter steel pin with no identifying cap;

Thence, North 32 degrees 26 minutes 37 seconds West, along the westerly line of a tract of land as described in Book 1908, Page 876, filed July 22, 2014 in the Office of the LeFlore County Clerk, identical with an easterly line of a tract of land as described in Book 2055, Page(s) 17-19, filed January 18, 2019 in the Office of the LeFlore County Clerk, a distance of 247.66 feet, to a point on the southerly right-of-way line of State Highway No. 271, as described in Book 260, Page 135, filed January 24, 1945 in the Office of the LeFlore County Clerk, marked with a 5/8 inch diameter steel pin with a 2.5 inch aluminum cap marked D Page JR PLS 1566;

Thence, North 57 degrees 33 minutes 23 seconds East, along the northwesterly line of a tract of land as described in Book 1908, Page 876, filed July 22, 2014 in the Office of the LeFlore County Clerk, identical the southerly right-of-way line of State Highway No. 271, as described in Book 260, Page 135 filed January 24, 1945 in the Office of the LeFlore County Clerk, a distance of 347.87 feet, to a point on the line between Sections 4 and 33, marked with a 3/8 inch diameter steel pin with a plastic cap marked McClain;

Thence, South 89 degrees 53 minutes 11 seconds East, along the north line of a tract of land as described in Book 1908, Page 876, filed July 22, 2014 in the Office of the LeFlore County Clerk, identical with the south line of a tract of land as described in Book 515, Page 13, filed May 21, 1969 in the Office of the LeFlore County Clerk, a distance of 359.71 feet to a ½ inch diameter steel pin with no identification cap being the Point of Beginning, containing 5.00 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 south side of Choctaw Road (service Road for U.S. Highway 271) and North Gray Street. The property is improved with a two-story commercial building and parking area which is occupied by the Nation for administrative services. The Nation plans to continue utilizing the property for the same purposes. 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 LeFlore 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:

Part of the Northeast Quarter of Lot 1 (PT NE¼NE¼NE¼) of Section 4, Township 9 North, Range 27 East of the Indian Base and Meridian, LeFlore County, Oklahoma, more particularly described as follows: Beginning at a found ½ inch diameter rebar at the Northeast corner of said Section 4; thence South 00°16'35" East 396.00 feet along the East line of Lot 1 of said Northeast Quarter to a set P.K. Nail; thence North 89°49'00" West 522.78 feet to a set ½ inch diameter rebar; thence North 32°22'43" West 247.66 feet to a set ½ inch diameter rebar at the Southeasterly right-of-way of Choctaw Road; thence North 57°37'17" East 347.93 feet along the Southeasterly right-of-way of Choctaw Road to a found rebar at the North line of Lot 1 of said Northeast Quarter; thence South

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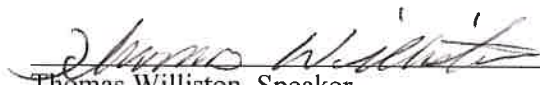
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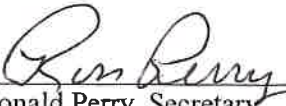
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BE IT FURTHER ENACTED, the property is improved with a two-story commercial building and parking area which is occupied by the Nation for administrative services and the Nation plans to continue utilizing the property for the same purposes without any change in usage.

CERTIFICATION

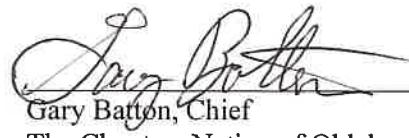
I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that eleven (11) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on December 14, 2019. I further certify that the foregoing Council Bill CB- 35 -20 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes and zero (0) abstaining.


Thomas Williston, Speaker
Choctaw Nation Tribal Council



Ronald Perry, Secretary
Choctaw Nation Tribal Council

Date: 12-19-19



Gary Patton, Chief
The Choctaw Nation of Oklahoma

EXHIBIT A

STATE HWY 112

40079040102

COBB FAMILY LTD PARTNERSHIP

CHOCTAW NATION OF OKLAHOMA

GRAY ST

WRIGHT, MARGARET LIFE ESTATE

WRIGHT, MARGARET LIFE ESTATE

WRIGHT, JOHN W & MARGARET

MOULSH, FREDERIC

MILLER, BEATRICE

USA IN TRUST FOR CHOCTAW

USA IN TRUST FOR CHOCTAW

BURLINGTON NORTHERN RR

STINEBAUGH



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 LeFlore 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 AT 2704 CHOCTAW ROAD, POCOLA, LEFLORE 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
