

TO APPROVE THE CONVEYANCE OF LAND IN COAL COUNTY TO THE HOUSING AUTHORITY OF THE CHOCTAW NATION FOR INDEPENDENT ELDERLY HOUSING

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE the conveyance of land from the Choctaw Nation of Oklahoma (the "Nation") to the Housing Authority of the Choctaw Nation of Oklahoma (the "Housing Authority");

WHEREAS, in accordance with Article IX, Sections 4 and 6 of the Constitution of the Choctaw Nation of Oklahoma, the Choctaw Tribal Council (the "Council") shall enact rule and regulations for the general good, and for the administration and regulation of the affairs of the Choctaw Nation of Oklahoma (the "Nation"), and 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, on November 26, 2018, the Chief signed papers on behalf of the Nation agreeing to convey land located in Coal County, Oklahoma to the Housing Authority for independent elderly housing for tribal elders. See Exhibit A; and

WHEREAS, the Council has determined it is in the best interest of the Nation to approve the conveyance of land in Coal County, Oklahoma to the Housing Authority to administer independent elderly housing for Choctaw elders.

THEREFORE BE IT ENACTED by the Council that this Bill be cited as approval of the conveyance of land in Coal County, Oklahoma to the Housing Authority of the Choctaw Nation of Oklahoma for independent elderly housing for Choctaw elders.

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 twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on January, 12, 2019. I further certify that the foregoing Council Bill CB- 59 -19 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.

Ronald Perry, Secretary
Choctaw Nation Tribal Council

Delton Cox, Speaker
Choctaw Nation Tribal Council

Gary Baton, Chief
Choctaw Nation of Oklahoma

Date 1-15-19

**Purpose/Need of Council Bill:** The purpose of this bill is to approve the conveyances of land by the Chief to the Housing Authority of the Choctaw Nation of Oklahoma. On November 26, 2018, the Chief signed papers on behalf of the Tribe conveying real property in Coal County to the Housing Authority. The purpose of the conveyance is so the Housing Authority can administer independent elderly housing for Choctaw elders.

**Title of Council Bill: TO APPROVE THE CONVEYANCE OF LAND TO THE HOUSING AUTHORITY OF THE CHOCTAW NATION FOR INDEPENDENT ELDERLY HOUSING**

**Agency:** Division of Land & Title

**Budget:** NA

**Match Required:** NA.

**Request by Project Director:** Brad Mallett

**WARRANTY DEED  
(INDIVIDUAL)**

KNOW ALL MEN BY THESE PRESENTS:

That, **THE COALGATE INDUSTRIAL DEVELOPMENT AUTHORITY**, a public trust, a/k/a **COALGATE INDUSTRIAL DEVELOPMENT AUTHORITY**, a public trust, party of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **CHOCTAW NATION OF OKLAHOMA**, P.O. Box 1210, Durant, OK 74702, party of the second part, the following described real property and premises, situated in Coal County, State of Oklahoma, to-wit:

**Surface Only Of:**

Lots 1 through 2 in Block 221, and Lots 1 through 12 in Block 222, and Lots 1 through 5 in Block 223, and Lots 1 through 6, and the South 70 feet of Lot 7 in Block 224, all in the City of Coalgate, Coal County, Oklahoma, and Lot 1 of Townsite Addition No. 6, and a part of Lot 2 of Townsite Addition No. 6 to the City of Coalgate, more particularly described as follows: Beginning at the Southeast Corner of Lot 2, Townsite Addition No. 6; Thence South 88 degrees 45 minutes 44 seconds West, along the South line of Lot 2, Townsite Addition No. 6, a distance of 246.69 feet to a point on the East Right of Way of Highways 3 and 75; Thence North 17 degrees 50 minutes 49 seconds West, along said East Right of Way, a distance of 14.38 feet; Thence North 89 degrees 05 minutes 35 seconds East, a distance of 18.63 feet to a point on the East line of said Lot 2; Thence South 01 degrees 01 minutes 50 seconds East, along said East line, a distance of 237.80 feet to the Point of Beginning, and a part of Lot 13, Townsite Addition No. 6 to the City of Coalgate, more particularly described as follows: Commencing at the Southeast corner of said Lot 13, Townsite Addition No. 6; Thence South 89 degrees 04 minutes 20 seconds West, along the South line of Section 26 a distance of 113.16 feet; Thence North 00 degrees 51 minutes 12 seconds West, a distance of 380.00 feet to the Point of Beginning; Thence South 89 degrees 04 minutes 20 seconds West, a distance of 396.21 feet to a point on the East Right of Way of State Highways 3 and 75 with a radius of 1975.59 feet to the Left, a Delta of 8 degrees 14 minutes 39 seconds, Length of 284.31 feet to the PT; Thence North 88 degrees 45 minutes 44 seconds East, a distance of 461.37 feet; Thence South 01 degrees 51 minutes 12 seconds East, a distance of 280.00 feet to the Point of Beginning, all in Coal County, Oklahoma.

**ALSO DESCRIBED ON SURVEY AS:**

Lots 1 through 2, Block 221, Original Town of Coalgate, Coal County, Oklahoma.  
Lots 1 through 12, Block 222, Original Town of Coalgate, Coal County, Oklahoma.  
Lots 1 through 5, Block 223, Original Town of Coalgate, Coal County, Oklahoma.  
Lots 1 through 7, Block 224, Original Town of Coalgate, Coal County, Oklahoma.  
Lot 1, Townsite Addition No. 6 to the Town of Coalgate, Coal County, Oklahoma.

**TRACT G**

A part of Lot 2, Townsite Addition No. 6 to The Town of Coalgate, Coal County, Oklahoma. More particularly described as follows: Beginning at the Southeast Corner of Lot 2, Townsite Addition No. 6; Thence South 88 degrees 45 minutes 44 seconds West, along the South line of Lot 2, Townsite Addition No. 6, a distance of 246.69 feet to a point on the East Right of Way of Highways 3 and 75; Thence North 17 degrees 50 minutes 49 seconds West, along said East Right of Way, a distance of 14.38 feet; Thence North 89 degrees 05 minutes 48 seconds East, a distance of 80.00 feet; Thence North 33 degrees 01 minutes 50 seconds East, a distance of 271.78 feet; Thence North 89 degrees 05 minutes 35 seconds East, a distance of 18.63 feet to a point on the East line of said Lot

2; Thence South 01 degrees 01 minutes 50 seconds East, along said East line, a distance of 237.80 feet to the point of beginning.

A Part of Lot 13, Townsite Addition No. 6 to The Town of Coalgate, Coal County, Oklahoma. More particularly described as follows: Commencing at the Southeast Corner of said Lot 13 Townsite Addition No. 6; Thence South 89 degrees 04 minutes 20 seconds West, along the South line of Section 26 a distance 113.16 feet; Thence North 00 degrees 51 minutes 12 seconds West, a distance of 380 feet to the Point of Beginning; Thence South 89 degrees 04 minutes 20 seconds West, a distance of 396.21 feet to a point on the East Right of Way of State Highways 3 and 99 with a Radius of 1975.59 feet to the Left, a Delta of 8 degrees 14 minutes 39 seconds, Length of 284.31 feet to the PT; Thence North 88 degrees 45 minutes 44 seconds East, a distance of 461.37 feet; Thence South 01 degrees 51 minutes 12 seconds East, a distance of 280.00 feet to the Point of Beginning.

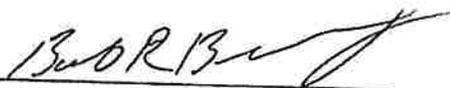
R.S. \$168.00

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto parties of the second part, their grantees and the heirs and grantees of the survivors, forever, free, clear and discharged of and from all former grants, titles, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

SIGNED AND SEALED this the 25<sup>th</sup> day of June, 2015.

THE COALGATE INDUSTRIAL DEVELOPMENT  
AUTHORITY, a public trust, a/k/a COALGATE  
INDUSTRIAL DEVELOPMENT AUTHORITY,  
a public trust

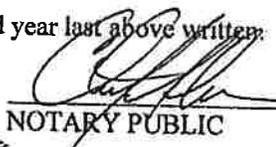


By: Bob Burns, Chairman,  
Board of Trustees

STATE OF OKLAHOMA            )  
  )ss.     ACKNOWLEDGMENT  
COUNTY OF BRYAN            )

Before me, the undersigned, a Notary Public in and for said County and State, on this 25<sup>th</sup> day of June, 2015, personally appeared Bob Burns, Chairman of the Board of Trustees of THE COALGATE INDUSTRIAL DEVELOPMENT AUTHORITY, a public trust, a/k/a COALGATE INDUSTRIAL DEVELOPMENT AUTHORITY, a public trust, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as their free and voluntary act and deed and as the free and voluntary act and deed of such public trust for the uses and purposes therein set forth.

WITNESS my hand and Seal the day and year last above written.

  
NOTARY PUBLIC

My Commission Expires: 4/12/2018



**A. SETTLEMENT STATEMENT (HUD-1)**

**B. TYPE OF LOAN**

1.  FHA      2.  FHMA      3.  CONV. UNINS.  
 4.  VA      5.  CONV. INS.

6. FILE NUMBER: 15050103      7. LOAN NUMBER

8. MORTGAGE INS. CASE NO.:

**C. NOTE:** This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

**D. NAME & ADDRESS OF BORROWER:** Choctaw Nation of Oklahoma  
P.O. Box 1210, Durant, OK 74701

**E. NAME & ADDRESS OF SELLER:** Coalgate Industrial Development Authority

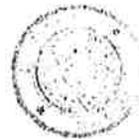
**F. NAME & ADDRESS OF LENDER:** CASH

**G. PROPERTY LOCATION:** .. OK

**H. SETTLEMENT AGENT:** The Bryan County Abstract Company  
**PLACE OF SETTLEMENT:** 120 North Third Street, P.O. Box 557, Durant, OK 74701 (580) 924-0306

**I. SETTLEMENT DATE:** 6/25/2015

J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
<b>100. Gross Amount Due From Borrower:</b>		<b>400. Gross Amount Due To Seller:</b>	
101. Contract sales price	111,600.00	401. Contract sales price	111,600.00
102. Personal property		402. Personal property	
103. Settlement charges to borrower; (line 1400)	1,641.00	403.	
104.		404.	
105.		405.	
<b>Adjustments For Items Paid By Seller In Advance:</b>		<b>Adjustments For Items Paid By Seller In Advance:</b>	
106. City/town taxes to		406. City/town taxes to	
107. County taxes to		407. County taxes to	
108. Assessments to		408. Assessments to	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
113.		413.	
114.		414.	
115.		415.	
116.		416.	
<b>120. Gross Amount Due From Borrower:</b>	<b>113,241.00</b>	<b>420. Gross Amount Due To Seller:</b>	<b>111,600.00</b>
<b>200. Amounts Paid By Or In Behalf Of Borrower:</b>		<b>500. Reductions In Amount Due To Seller:</b>	
201. Deposit or earnest money		501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	2,018.00
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff 1st Mtg. Ln.	
205.		505. Payoff 2nd Mtg. Ln.	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
<b>Adjustments For Items Unpaid By Seller:</b>		<b>Adjustments For Items Unpaid By Seller:</b>	
210. City/town taxes to		510. City/town taxes to	
211. County taxes to		511. County taxes to	
212. Assessments to		512. Assessments to	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
<b>220. Total Paid By/For Borrower:</b>		<b>520. Total Reductions In Amount Due Seller:</b>	<b>2,018.00</b>
<b>300. Cash At Settlement From/To Borrower:</b>		<b>600. Cash At Settlement From/To Seller:</b>	
301. Gross amount due from borrower (line 120)	113,241.00	601. Gross amount due to seller (line 420)	111,600.00
302. Less amount paid by/for borrower (line 220)		602. Less reductions in amount due seller (line 520)	2,018.00
<b>303. Cash (X) FROM ( ) TO Borrower:</b>	<b>113,241.00</b>	<b>603. Cash (X) TO ( ) FROM Seller:</b>	<b>109,582.00</b>



## WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS:**

That **CHOCTAW NATION OF OKLAHOMA**, a federally-recognized and sovereign Indian Tribe, party of the first part, for valuable consideration, the receipt of which is hereby acknowledged, does hereby quit-claim, grant, bargain, sell and convey unto the **Housing Authority of the Choctaw Nation of Oklahoma, P.O. Box G, Hugo, Oklahoma 74743**, party of the second part, the following described real property and premises situated in Coal County, State of Oklahoma, to-wit:

**Surface Only Of:**

Lots 1 through 2 in Block 221, and Lots 1 through 12 in Block 222, and Lots 1 through 5 in Block 223, and Lots 1 through 6, and the South 70 feet of Lot 7 in Block 224, all in the City of Coalgate, Coal County Oklahoma, and Lot 1 of Townsite Addition No. 6, and a part of Lot 2 of Townsite Addition No. 6 to the City of Coalgate, more particularly described as follows: Beginning at the Southeast Corner of Lot 2, Townsite Addition No. 6; Thence South 88 degrees 45 minutes 44 seconds West, along the South line of Lot 2, Townsite Addition No. 6, a distance of 246.69 feet to a point on the East Right of Way of Highways 3 and 75; Thence North 17 degrees 50 minutes 49 seconds West, along said East Right of Way, a distance of 14.38 feet; Thence North 89 degrees 05 minutes 35 seconds East, a distance of 18.63 feet to a point on the East line of said Lot 2; Thence South 01 degrees 01 minutes 50 seconds East, along said East line, a distance of 237.80 feet to the Point of Beginning, and a part of Lot 13, Townsite Addition No. 6 to the City of Coalgate, more particularly described as follows: Commencing at the Southeast corner of said Lot 13, Townsite Addition No. 6; Thence South 89 degrees 04 minutes 20 seconds West, along the South line of Section 26 a distance of 113.16 feet; Thence North 00 degrees 51 minutes 12 seconds West, a distance of 380.00 feet to the Point of Beginning; Thence South 89 degrees 04 minutes 20 seconds West, a distance of 396.21 feet to a point on the East Right of Way of State Highways 3 and 75 with a radius of 1975.59 feet to the Left, a Delta of 8 degrees 14 minutes 39 seconds, Length of 284.31 feet to the PT; Thence North 88 degrees 45 minutes 44 seconds East, a distance of 461.37 feet; thence South 01 degrees 51 minutes 12 seconds East, a distance of 280.00 feet to the Point of Beginning, all in Coal County, Oklahoma.

**ALSO DESCRIBED ON SURVEY AS:**

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together with all the improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, its successors and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, EXCEPT easements and restrictive covenants of record; and, any outstanding oil, gas and other mineral interests reserved or conveyed by prior owners.

Signed and delivered on this the 26<sup>th</sup> day of November 2018.

CHOCTAW NATION OF OKLAHOMA

By:  \_\_\_\_\_

Gary Batton, Chief

**ACKNOWLEDGMENT**

State of Oklahoma    )  
  ) ss  
County of Bryan    )

This instrument was acknowledged before me the undersigned, a Notary Public in and for said County and State on this 26 day of November, 2018, personally appeared Gary Batton, the duly elected Chief, of the Choctaw Nation of Oklahoma, a federally-recognized and sovereign Indian Tribe, to me known to be the identical person who executive the within and foregoing instrument on behalf of said Tribe an acknowledged to me that he executive the same as his free and voluntary act and deed of said Tribe for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written

Donna Loper  
Notary Public

My Commission Expires: \_\_\_\_\_



EXEMPT DOCUMENTARY STAMP TAX O.S. TITLE 68,  
ARTICLE 32 SECTION 3202, PARAGRAPH 11

