

TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF PUBLIC SERVICE COMPANY OF OKLAHOMA, ON CHOCTAW NATION FEE LAND IN LATIMER COUNTY, OKLAHOMA

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING BILL

A COUNCIL BILL

**TO APPROVE** an electric line easement, in favor of Public Service Company of Oklahoma, on Choctaw Nation Fee land in Latimer County, Oklahoma.

**WHEREAS**, in accordance with Article VII, Section 1 of the Constitution of the Choctaw Nation of Oklahoma, the Chief shall perform all duties pertaining to the Office of the Chief Executive. He shall sign official papers on behalf of the Nation;

**WHEREAS**, in accordance with Article IX, Section 6 of the Constitution of the Choctaw Nation of Oklahoma, the Tribal Council (the "Council") shall make decisions pertaining to the acquisition, leasing, disposition, and management of tribal property;

**WHEREAS**, Public Service Company of Oklahoma (PSO) will provide an electric line to service the new Choctaw Housing Addition in Wilburton, Oklahoma, described as being in part of Lot 66, Townsite Addition No. 4, in Section 8, Township 5 North, Range 19 East, Latimer County, OK, more particularly described in the Right-of-Way Easement and survey map labeled Exhibit A. Also attached is a location map labeled Exhibit B;

**WHEREAS**, the payment will be \$1.00 because the service is being installed at the request and for the benefit of the Choctaw Nation of Oklahoma (the "Nation");

**WHEREAS**, the easement shall be for a perpetual term; and

**WHEREAS**, the Council has determined it is in the best interest of the Nation to grant this easement in favor of PSO.

**THEREFORE BE IT ENACTED** by the Council that this Bill be cited as approval of the proposed easement for a perpetual term, described as being in part of Lot 66, Townsite Addition No. 4, in Section 8, Township 5 North, Range 19 East, Latimer County, OK (See page 2 of Exhibit A), in favor of Public Service Company of Oklahoma, on Choctaw Nation Fee land.

**BE IT FUTHER ENACTED**, by the Council of the Choctaw Nation of Oklahoma, that this bill be cited for approval for the payment of \$1.00.

**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 March 14, 2020. I further certify that the foregoing Council Bill CB- 59 -20 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes, and zero (0) abstaining.*

TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF PUBLIC SERVICE COMPANY OF OKLAHOMA, ON CHOCTAW NATION FEE LAND IN LATIMER COUNTY, OKLAHOMA



Ronald Perry, Secretary  
Choctaw Nation Tribal Council



Thomas Williston, Speaker  
Choctaw Nation Tribal Council

Date: 3.17.2020



Gary Batton, Chief  
Choctaw Nation of Oklahoma

**Purpose of Council Bill:** To approve an electric line easement, in favor of the Public Service Company of Oklahoma (“PSO”), on Choctaw Nation Fee land in Latimer County, OK. PSO will provide an electric line to service the new Choctaw Housing Addition in Wilburton, Oklahoma, located in Section 8, Township 5 North, Range 19 East, Latimer County, Oklahoma. The easement will be 20-foot wide, 10-feet on each side of the centerline, more fully described in the Right-of-Way Easement and survey map labeled Exhibit A. A location map is also attached labeled Exhibit B.

**Title of Council Bill:** TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF PUBLIC SERVICE COMPANY OF OKLAHOMA, ON CHOCTAW NATION FEE LAND IN LATIMER COUNTY, OKLAHOMA

**Grantee:** Public Service Company of Oklahoma

**Duration:** Perpetual

**Payment:** \$1.00

**Request by Project Director:** Traci Umsted, Sr. Director of Land & Title, Brad Mallett, Senior Executive Officer

# EXHIBIT A

PSO  
P.O. Box 201  
Tulsa, OK 74102

Agent: M. Payton/D. McKee-OK201 \_\_\_\_\_  
Area No: D-6098W.O. No:  
Address:

## RIGHT-OF-WAY EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

That: **Choctaw Nation of Oklahoma**, hereinafter referred to as "Grantor(s)", for the sum of One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt and sufficiency of which as consideration for any and all direct and indirect, current damage, injury or diminution in value to the property covered by this easement, or the property of Grantor(s) adjacent thereto is hereby acknowledged, hereby grants, bargains, sells, and conveys unto **PUBLIC SERVICE COMPANY OF OKLAHOMA**, an Oklahoma corporation, its successors and assigns, hereinafter referred to as "Grantee", an easement consisting of the perpetual right, privilege and authority to construct, operate, maintain, reconstruct and remove a line or lines of structures with wires, fixtures and other equipment related thereto (whether located on the ground or on said structures) for the transmission of electrical current and other forms of energy and for the transmission or communication of data, audio and video information upon, over, under and across a portion of a tract or parcel of land owned by Grantor(s). Such tract or parcel is located in Section 8, Township 5 North, Range 19 East, I.B.&M., Latimer County, State of Oklahoma, and is described as follows:

A part of Lot Sixty-six (66), Townsite Addition No. Four (4), more particularly described as follows: Commencing at the SE corner of Lot 66; thence North 62 degrees 26 minutes 54 seconds West along the South line of said Lot 66 a distance of 505.70 feet to the TRUE POINT OF BEGINNING; thence North 62 degrees 26 minutes 54 seconds West along said South line a distance of 547.74 feet; thence North 25 degrees 05 minutes 07 seconds East a distance of 659.19 feet to a point on the Southerly right-of-way of State Highway No. 2; thence South 64 degrees 56 minutes 54 seconds East along said right-of-way a distance of 421.50 feet; thence South 25 degrees 03 minutes 15 seconds West a distance of 308.05 feet; thence South 65 degrees 13 minutes 26 seconds East a distance of 75.00 feet; thence North 25 degrees 03 minutes 15 seconds East a distance of 57.67 feet; thence South 65 degrees 13 minutes 28 seconds East a distance of 50.53 feet; thence South 25 degrees 04 minutes 39 seconds West a distance of 433.31 feet to the point of beginning, being North of the Indian Base and Meridian, Latimer County, Oklahoma.

PSO  
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Tulsa, OK 74102

**Section 8, T5N, R19E**

The easement and right-of-way granted hereby is **ten (10)** feet on each side of a centerline, more fully described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 66, TOWNSITE ADDITION NO. FOUR (4), LATIMER COUNTY, STATE OF OKLAHOMA: THENCE N63°53'26"W ALONG THE SOUTH LINE OF SAID LOT 66 A DISTANCE OF 1012.60 FEET TO THE POINT OF BEGINNING; THENCE N23°53'39"E A DISTANCE OF 660.98 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 66, BEING THE POINT OF TERMINATION.

Said right-of-way to be **twenty (20)** feet in width.

For the same consideration, Grantor further grants unto said Grantee, the perpetual right, privilege and authority: to cut down, trim treat and dispose of any trees and undergrowth on said easement or on the Grantor's property contiguous thereto which, in Grantee's sole judgment, interfere or threaten to interfere with Grantee's structures, lines, fixtures and equipment, or with Grantee's ability to construct, operate, maintain, reconstruct or remove said structures, lines, fixtures and equipment; to prevent the placement of any structure within said easement; to set the necessary guy and brace poles or anchors and to attach all necessary guy wires thereto; to enter upon the said easement over, under and across the Grantor's other property adjacent to said easement for the purpose of constructing, operating, maintaining, reconstructing and removing its said structures, lines, fixtures and equipment; and to construct, operate, maintain, reconstruct, and remove such line or lines upon, over, under and across said easement.

The failure of Grantee to exercise any of the rights granted hereby, in whole or in part, for any period of time shall not be deemed to constitute a waiver, release, abandonment or limitation of such easement, right, privilege or authority. Grantor(s) hereby reserves the right to make such use of the land included within the easement as is not inconsistent with the rights, privileges and authorities granted hereby.



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Section 8, T5N, R19E

EXHIBIT "A"

WR#75687950 OH ELEC. ESMT.  
CHOCTAW NATION, LATIMER COUNTY



