

TO AMEND CB-87-08 AND WITHDRAW THE APPROVAL TO SELL EXCESS PROPERTY IN OKLAHOMA CITY, OKLAHOMA

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE an amendment to CB-87-08 and withdraw the approval to sell 1.2795 acres located in Oklahoma City, OK.

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 July 12, 2008, the Council passed CB-87-08 granting approval to sell two parcels of land with one being 8.4 acres in Moore, Oklahoma and the other being 1.2785 acres in Oklahoma City, Oklahoma;

WHEREAS, subsequent to the passage of CB-87-08, the 8.4 acres in Moore, Oklahoma was sold by the Nation;

WHEREAS, the 1.2795 acres of excess property located at Block 4 of the Park Hill Addition in Oklahoma City, OK (the "Property") has not been sold and the Nation continues to own and maintain the Property. See Exhibit A;

WHEREAS, the Property was appraised and valued at \$193,547.97 on October 31, 2018. See Exhibit B; and

WHEREAS, the Council has determined it is in the best interest of the Nation to retain the Property, amend CB-87-08, and withdraw the prior approval to sell the Property.

THEREFORE BE IT ENACTED by the Council that this Bill be cited as approval to amend CB-87-08 and withdraw the approval to sell the property located at Block 4 of the Park Hill Addition to Oklahoma City, OK.

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- 60 -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 Patton, Chief
Choctaw Nation of Oklahoma

Date 1-15-19

Purpose/Need of Council Bill: On July 12, 2008, the Tribal Council approved CB-87-08, a bill approving the sale of tribally-owned property in Oklahoma City (1.2795 acres) and Moore, Oklahoma (8.4 acres). The property in Moore sold but the Oklahoma City property has not. The Oklahoma City property was appraised and valued at \$193,547.97 on October 31, 2018. It is now in the best interest of the Tribe to retain the Oklahoma City property and amend CB-87-08.

Title of Council Bill: TO AMEND CB-87-08 AND WITHDRAW THE APPROVAL TO SELL EXCESS PROPERTY IN OKLAHOMA CITY, OKLAHOMA

Agency: Division of Land & Title

Budget: NA

Match Required: NA

Request by Project Director: Brad Mallett

**A Council Bill Approving the Sale of Excess Property in Oklahoma City and Moore, OK
IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

July 12, 2008

CHARLOTTE JACKSON introduced the following Council Bill

A COUNCIL BILL

TO APPROVE: The sale of excess property in Oklahoma City, Oklahoma and Moore, Oklahoma.

WHEREAS: The Choctaw Nation of Oklahoma was given 1.2795 acres in Oklahoma City, Oklahoma and 8.4 acres in Moore, Oklahoma by Anne Main of Honolulu, Hawaii.

WHEREAS: The cost of maintaining these properties are not cost effective.


WHEREAS: The Choctaw Nation has buyers for the properties. The proceeds of the sale of the properties will be used for scholarships.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Choctaw Nation of Oklahoma hereby acknowledges the sale of the property would be advantageous.

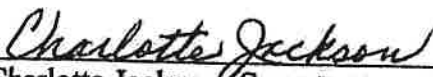
BE IT FURTHER RESOLVED, that the Tribal Council of the Choctaw Nation of Oklahoma hereby approves sale of the excess land in Oklahoma City, Oklahoma and Moore, Oklahoma for the appraised value of \$25,600.00 and \$200,000.00 respectively.

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 July 12, 2008. I further certify that the foregoing Council Bill CB-87-08 was adopted at such meeting by the affirmative vote of (11) eleven members, (0) zero negative votes and zero (0) abstaining.



Delton Cox, Speaker
Choctaw Nation Tribal Council



Charlotte Jackson, Secretary
Choctaw Nation Tribal Council



Gregory E. Pyle, Chief
Choctaw Nation of Oklahoma

Date: 7/16/08

Exhibit A

LETTER OPINION OF VALUE

October 31, 2018
114 West Locust
Tecumseh, Oklahoma 74873

Choctaw Nation
P.O. Box 1210
Durant, Oklahoma 74702-1210

Attention: Donna Loper

The legal description of the subject property is Block 4 of The Park Hill Addition to Oklahoma City, Oklahoma County, Oklahoma. It is part of the SE/4 of Sec.24-T12N-R3W IM, Oklahoma County, Oklahoma, 1.2695ac. mol..

The purpose and intended use of this appraisal is to estimate the fair market value of the subject property as if fee simple, less encumbrances and mineral rights, and under single ownership to assist The Choctaw Nation in effecting a negotiated sale of the subject property.

The subject property was inspected October 26, 2018, with the aid of aerial photographs and soil maps. Krista Hampton of The Choctaw Nation Land & Title Department was contacted as the owner's representative.

The subject property is an irregular shaped tract that is located at the SW/C of NE 30th Street and Grand Avenue in NE Oklahoma City, just west of Interstate Highway-35. It is comprized of nearly level to gently sloping loam upland. This tract is partly covered with brushy timber. Access is by paved streets along the north and east sides. There is a commercial building on the property to the south and the Oklahoma City Public Schools Operations Center (Bus Barns, etc) occupies the property to the west. All city utilities appear to be available. Zoning is industrial.

Based on its overall size, location, access, zoning, and the land uses in the immediate area, the highest and best use for the subject property within the foreseeable future is considered to be industrial.

Exhibit B

Block 4 - Park Hill Addition to Oklahoma City

A search of the market failed to show any recent sales of industrial tracts that were exactly similar to the subject as to overall size, location and access. Some larger sales were found in more remote locations, (greater distance from subject).

The J.R. Fulton Company has a couple of listings immediately north of the subject (see photo). One parcel is much larger at 13.68 acres is listed for \$3.50 per square foot. The smaller tract is 3.24 acres and is about 2.5 times the overall size of the subject. This tract is listed at \$4.50 per square foot.

Obviously listings indicate the upper limit of value. But, in this case, there is not much else on which to base an opinion of value. In a telephone conversation with Bud Fulton, he said that he had sold a 4 acre tract on the east side of I-35 about ninety days ago for \$3.50 per square foot. He did not have the details immediately available.

Under usual conditions, the smaller the overall size, the higher the unit value. But, in lieu of actual sales, this is a highly subjective concept. One acre @ \$3.50 per square foot equals \$153,460.00.

Based on the data presented above, my opinion of value for the subject property as of October 26, 2018 is as follows:

1.2695ac. @ \$152,460.00 = \$193,547.97 Say \$193,500.00-Cash.

Effective Date of Appraisal 10-26-18

Date of Report

10-31-18

Newell C. Marsh
Newell C. Marsh, Appraiser
MSA-MFLA-MRA Ok. State Certified
General Appraiser #10310CGA

OKLAHOMA CITY AND VICINITY

0 1 2 3 4 5 6 MILES

