

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN 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 this acquisition of 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 40.42 acres of real property located at 3839 Battiest Pickens Road, Broken Bow, McCurtain County, Oklahoma. The subject property is within the former, historic reservation boundaries and current jurisdictional boundaries of the Nation. The property is described as follows:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 2 South, Range 23 East of the Indian Base and Meridian, McCurtain County, Oklahoma.

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 2 South, Range 23 East of the Indian Base and Meridian, McCurtain County, Oklahoma, being more particularly described as follows:

Beginning at the Northwest Corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, said corner marked with the found Original Government Stone;

Thence, North 89 degrees 36 minutes 25 seconds East, along the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1339.28 feet to the Northeast corner thereof, said corner marked with a found $\frac{1}{2}$ inch diameter iron rod with cap marked "CLS CA 5072";

Thence, South 00 degrees 14 minutes 21 seconds East, along the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1318.39 feet to the Southeast corner thereof, said corner marked with a set $\frac{1}{2}$ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS1539 CFEDS1102;

Thence, South 89 degrees 44 minutes 36 seconds West, along the South line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1334.80 feet to the Southwest corner thereof, said corner marked with a set $\frac{1}{2}$ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS 1539 CFEDS1102;

Thence, North 00 degrees 26 minutes 02 seconds West, along the West line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1315.20 feet to the Point of Beginning, containing 40.42 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.

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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 at 3839 Battiest Pickens Road, Broken Bow, McCurtain County, Oklahoma. It is currently owned by the Nation and the property will be utilized to facilitate self-determination and provide governmental services to Tribal citizens. Currently the property is improved with a tribal community center and a pre-school. The acquisition will provide easier access to community gatherings for Tribal citizens, and a pre-school for children to gain a good start in life and readiness skills that best promote the child's success. The Nation plans to continue utilizing the property for the same purposes.

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 McCurtain 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:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 2 South, Range 23 East of the Indian Base and Meridian, McCurtain County, Oklahoma.

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 2 South, Range 23 East of the Indian Base and Meridian, McCurtain County, Oklahoma, being more particularly described as follows: Beginning at the Northwest Corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, said corner marked with the found Original Government Stone;

Thence, North 89 degrees 36 minutes 25 seconds East, along the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1339.28 feet to the Northeast corner thereof, said corner marked with a found $\frac{1}{2}$ inch diameter iron rod with cap marked "CLS CA 5072";

Thence, South 00 degrees 14 minutes 21 seconds East, along the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1318.39 feet to the Southeast corner thereof, said corner marked with a set $\frac{1}{2}$ inch diameter iron rod with aluminum cap marked Robby L. Johnson OK RPLS1539 CFEDS1102;

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Thence, North 00 degrees 26 minutes 02 seconds West, along the West line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1315.20 feet to the Point of Beginning, containing 40.42 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 of the property's current utilization to facilitate self-determination and provide governmental services to Tribal citizens and approval of its current improvements, which include a tribal community center and a pre-school. The Nation plans to continue utilizing the property for the same purposes.

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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- 60 -20 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes and zero (0) abstaining.

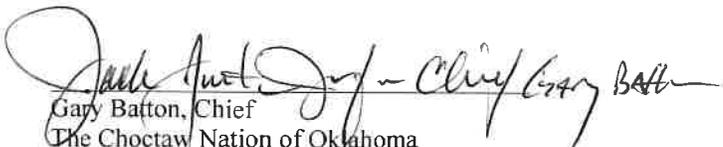


Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council

Date: 3.17.2020



Gary Batton, Chief
The Choctaw Nation of Oklahoma

EXHIBIT A

WEYERHAEUSER CO

40089098200

CHOCTAW
NATION
OF OKLAHOMA

Main County St

DAVIS
EVAN & DIANNA

St. Joseph
Parish

US
BRANCH



Title of Council Bill: TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN 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