

TO APPROVE A ROAD AND UTILITY EASEMENT, IN FAVOR OF THE CITY OF IDABEL, OKLAHOMA, ON CHOCTAW NATION FEE LAND IN MCCURTAIN COUNTY, OKLAHOMA

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING BILL

A COUNCIL BILL

TO APPROVE a Road and Utility Easement, in favor of the City of Idabel, Oklahoma, on Choctaw Nation fee land in McCurtain 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, the City of Idabel, Oklahoma (the City) is requesting a road and utility easement to grant ingress and egress rights to the City and the Idabel Municipal Airport to construct, maintain, repair, replace, and brush hog a narrow access easement from the City's property to the regional airport landing Omni-Directional Approach Light System. The proposed road is 300 feet in length and 15 feet wide; the proposed 20-foot tower would be constructed 300 feet South of the existing fence and would be enclosed in a six-foot chain-link fence being 15 feet by 15 feet. The point of beginning is located mid-point between the Southwest corner and the Southeast corners of the South end of the McCurtain County Regional Airport, then extending South 315 feet in Section 35, Township 7 South, Range 23 East, McCurtain County, OK. See attached Road and Utility Easement labeled Exhibit A, copy of the request letter from Don Shaw labeled Exhibit B, and location map labeled Exhibit C;

WHEREAS, the payment will be \$10.00;

WHEREAS, the easement shall be for a perpetual term so long as it is used for its intended purpose; and

WHEREAS, the Council has determined it is in the best interest of the Nation to grant this road and utility easement in favor of the City of Idabel, Oklahoma.

THEREFORE BE IT ENACTED by the Council that this Bill be cited as approval of the proposed road and utility easement for a perpetual term, described as being in Section 35, Township 7 South, Range 23 East, McCurtain County, OK (See page 1 of Exhibit A), in favor of the City of Idabel, 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 \$10.00.

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.

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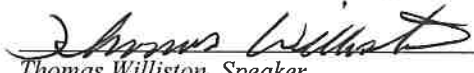
CERTIFICATION

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 twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma, on May 9, 2020. I further certify that the foregoing Council Bill CB- 80 -20 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

Date: 5-14-2020



Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation of Oklahoma

TO APPROVE A ROAD AND UTILITY EASEMENT, IN FAVOR OF THE CITY OF IDABEL, OKLAHOMA, ON CHOCTAW NATION FEE LAND IN MCCURTAIN COUNTY, OKLAHOMA

Purpose of Council Bill: To approve a road and utility easement, in favor of the City of Idabel, Oklahoma (“the City”), on Choctaw Nation fee land in McCurtain County, OK. The City is requesting a road and utility easement to grant ingress and egress rights to the City and the Idabel Municipal Airport to construct, maintain, repair, replace, and brush hog a narrow access easement from the City’s property to the regional airport landing Omni-Directional Approach Light System. The proposed road is 300 feet in length and 15 feet wide; the proposed 20-foot tower would be constructed 300 feet South of the existing fence and would be enclosed in a six-foot chain-link fence being 15 feet by 15 feet. The point of beginning is located mid-point between the Southwest corner and the Southeast corners of the South end of the McCurtain County Regional Airport, then extending South 315 feet in Section 35, Township 7 South, Range 23 East, McCurtain County, OK. The Road and Utility Easement is labeled Exhibit A, a copy of the request letter is labeled Exhibit B, and location map is labeled Exhibit C.

Title of Council Bill: TO APPROVE A ROAD AND UTILITY EASEMENT, IN FAVOR OF THE CITY OF IDABEL, OKLAHOMA, ON CHOCTAW NATION FEE LAND IN MCCURTAIN COUNTY, OKLAHOMA

Grantee: City of Idabel, Oklahoma

Duration: Perpetual

Payment: \$10.00

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

EXHIBIT A

City of Idabel/ airport-choctaw 01-22-20

ROAD-UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Choctaw Nation of Oklahoma, party of the first part, in consideration of (\$10.00) Ten Dollars and other valuable considerations in hand paid, the receipt of which is hereby acknowledged, does hereby quitclaim, grant, bargain, sell and convey unto:

City of Idabel, Oklahoma
201 East Main Street
Idabel, OK 74745

a road-utility easement upon the following described McCurtain County, Oklahoma real estate:

a permanent road and utility easement located within E 1/2 SE 1/4 Section 35, Township 7 South, Range 23 East. IBM--

a road and utility easement 300 feet in length and 15 feet wide

The point of beginning is located mid-point between the Southwest corner and the Southeast corners of the South end of the McCurtain County Regional Airport, then extending South 315 feet.

The purpose of this perpetual road and utility easement is to grant ingress and egress rights to the City of Idabel, Oklahoma and Idabel Municipal Airport to construct, maintain, repair, replace, brush hog the narrow access easement from the City of Idabel property to the regional airport landing Omni-Directional Approach Light System (ODALs).

*** NO REVENUE STAMPS: 68 OS 3202 –there was no payment for the execution of this easement

TO HAVE AND TO HOLD the above described premises unto the said party of the second part, and to it's successors forever, so that neither the said party of the first part or any person in their names and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof: but they and everyone of them shall by these presents be excluded and forever barred.

CHOCTAW NATION OF OKLAHOMA

By: _____

STATE OF OKLAHOMA ss. COUNTY OF _____

Before me the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2020, personally appeared _____, who is the _____ for Choctaw Nation of Oklahoma, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed and as the free and voluntary act and deed of the CHOCTAW NATION OF OKLAHOMA, for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN

NOTARY PUBLIC-----

(SEAL)

EXHIBIT B

DON SHAW

ATTORNEY AT LAW
101 NE 3 / P.O. BOX 957
IDABEL, OKLAHOMA 74745-0957
(580) 286-7579
email: donshawoffice@sbcglobal.net

FAX:
(580) 286-7570

HOME:
(580) 286-5186

Secretaries:
Jo Ann Baker
Ty Going

city of idabel/Choctaw nation 02-20-2020

02-20-2020

Choctaw Nation
P.O. Box 1210
Durant, OK 74701

Re: City of Idabel—extending landing lights at the South end

1. There will be a 20 foot tower constructed 300 feet South of the existing fence—it will be enclosed in a six foot chain link fence 15 feet x 15 feet.
2. At the beginning of the new construction there will be an electrical power cord running from the South end of the airport 300 feet to the strobe light tower to assist in landing aircraft.
3. A tractor with a brush hog would mow the 15 foot easement from the South fence of the airport to the strobe light.
4. We are hoping that Choctaw Nation of Oklahoma would grant to City of Idabel, Oklahoma, a permanent easement 15 feet wide and 300 feet long for road and utility easement, and a tract of land 15 feet by 15 feet on which the airport landing strobe light will be erected.
5. A proposed easement is attached for your information.

Very Truly Yours,

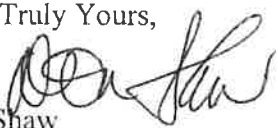

Don Shaw
DS/tg

EXHIBIT C

