

**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 16.09 acres of real property located at 2408 East Lincoln, Idabel, McCurtain County, Oklahoma. The subject property is within the reservation boundaries and current jurisdictional boundaries of the Nation. The property is described as follows:

A parcel of land situated in a part of Section 9, Township 8 South, Range 24 East of the Indian Meridian and Base Line, McCurtain County, Oklahoma being a portion of that parcel of land described in Book 635, Page 1037, filed June 9, 1999, in the Office of the McCurtain County Clerk, being more particularly described by metes and bounds with a true base bearing being South 00 degrees 05 minutes 36 seconds East, along the east line of the Northeast Quarter (NE¼) in Section 9, Township 8 South, Range 24 East, more particularly described as follows:

Commencing at the corner Sections 3, 4, 9 and 10, Township 8 South, Range 24 East, marked with an unidentified ½ inch steel pin, filed with the Oklahoma Department of Libraries on March 10, 1978;

Thence, South 00 degrees 05 minutes 36 seconds East, along the line between Sections 9 and 10, Township 8 South, Range 24 East of the Indian Meridian and Base line, a distance of 1320.06 feet to the Southeast corner of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the aforesaid Section 9, identical with the Southeast corner of a parcel of land described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, marked with a ½ inch diameter steel pin with a plastic cap marked Pollard LS961, and the Point of Beginning of the herein described parcel;

Thence, South 89 degrees 58 minutes 00 seconds West, along the south line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the aforesaid Section 9, identical with the south line of a parcel of land described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, a distance of 1318.11 feet to the Southwest corner of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the aforesaid Section 9, identical with the Southwest corner of a parcel of land described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, marked with a ½ inch diameter steel pin with an illegible yellow identification cap;

Thence, North 00 degrees 03 minutes 18 seconds West, along the west line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the aforesaid Section 9, identical with the west line of a parcel of land described in Book

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN COUNTY IN TRUST STATUS
WITH THE UNITED STATES OF AMERICA**

635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, a distance of 1176.95 feet to a point on the south Right of Way line of U.S. Highway 70 Bypass, as described in Book 219, Page 314, filed March 2, 1967 in the Office of the McCurtain County Clerk, marked with an unidentified ½ inch diameter steel pin;

Thence, South 89 degrees 57 minutes 00 seconds East, along the north line of a parcel of land as described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, identical with the south Right of Way line of U.S. Highway 70 Bypass, as described in Book 219, Page 314, filed March 2, 1967 in the Office of the McCurtain County Clerk, a distance of 793.64 feet, marked with a 5/8 inch diameter steel pin with a 2.5 inch aluminum cap marked D Page JR PLS1566;

Thence, North 76 degrees 33 minutes 00 seconds East, along the north line of a parcel of land as described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, identical with the south Right of Way line of U.S. Highway 70 Bypass, as described in Book 219, Page 314, filed March 2, 1967 in the Office of the McCurtain County Clerk, a distance of 24.67 feet, marked with a 5/8 inch diameter steel pin with a 2.5 inch aluminum cap marked D Page Jr PLS1566;

Thence, South 00 degrees 13 minutes 16 seconds East, along an easterly line of a parcel of land as described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, identical with the west line of a parcel of land as a remainder parcel of a parent tract originally described in Book 608, Page 71, filed November 7, 1997 in the Office of the McCurtain County Clerk, a distance of 402.25 feet, to a point on the north line of a parcel of land described in Book 699, Page 913, filed March 26, 2003 in the Office of the McCurtain County Clerk, marked with a ½ inch diameter steel pin with no identification cap;

Thence, North 89 degrees 56 minutes 58 seconds West, along the north line of a parcel of land described in Book 699, Page 913, filed March 28, 2003 in the Office of the McCurtain County Clerk, a distance of 353.75 feet, to the Northwest corner of a parcel of land described in Book 699, Page 913, filed March 26, 2003 in the Office of the McCurtain County Clerk, marked with a 5/8 inch diameter steel pin with a 2.5 inch aluminum cap marked D Page Jr PLS1566;

Thence, South 00 degrees 13 minutes 15 seconds East, along the west line of a parcel of land described in Book 699, Page 913, filed March 26, 2003 in the Office of the McCurtain County Clerk, a distance of 765.46 feet, to the Southwest corner of a parcel of land described in Book 699, Page 913, filed March 26, 2003 in the Office of the McCurtain County Clerk, marked with a 5/8 inch diameter steel pin with a 2.5 inch aluminum cap marked D Page Jr PLS1566;

Thence, South 89 degrees 57 minutes 57 seconds East, along the south line of a parcel of land as described in Book 699, Page 913, filed March 26, 2003 in the Office of the McCurtain County Clerk, a distance of 850.84 feet, to a point on the line between Sections 9 and 10, Township 8 South, Range 24 East of the Indian Meridian and Base line, identical with the east line of the a parcel of land described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, marked with a 5/8 inch diameter steel pin with a 2.5 inch aluminum cap marked D Page Jr PLC1566;

Thence, South 00 degrees 05 minutes 36 seconds East, along the line between Sections 9 and 10, Township 8 South, Range 24 East of the Indian Meridian and Base line, identical with the east line of a parcel of land as described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, a distance of 14.85 feet to a ½ inch diameter steel pin with a plastic cap marked Pollard LS961 being the Point of Beginning, containing **16.09 acres**, more or less, **LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.**

"This description and this deed is intended to convey to the United States any interest that the Choctaw Nation of Oklahoma may have in the described tract or any interest it may have acquired by virtue of a deed from Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, a Utah corporation sole, dated May 19, 1999, and filed or record at Book 635, Page 1037, in McCurtain County, Oklahoma." Exhibit A, attached herein, is the aerial photograph of general area of location.

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 2408 East Lincoln, Idabel, McCurtain County, Oklahoma. It is currently owned by the Nation and the property will be utilized to facilitate self-determination and provide

TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN COUNTY IN TRUST STATUS WITH THE UNITED STATES OF AMERICA

governmental services to tribal citizens. Currently the property is improved with a tribal community center and a Head Start, and parking lot. The acquisition will provide easier access to community gatherings for tribal citizens, and a head start 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:

A parcel of land situated in a part of Section 9, Township 8 South, Range 24 East of the Indian Meridian and Base Line, McCurtain County, Oklahoma being a portion of that parcel of land described in Book 635, Page 1037, filed June 9, 1999, in the Office of the McCurtain County Clerk, being more particularly described by metes and bounds with a true base bearing being South 00 degrees 05 minutes 36 seconds East, along the east line of the Northeast Quarter (NE¼) in Section 9, Township 8 South, Range 24 East, more particularly described as follows:

Commencing at the corner Sections 3, 4, 9 and 10, Township 8 South, Range 24 East, marked with an unidentified ½ inch steel pin, filed with the Oklahoma Department of Libraries on March 10, 1978;

Thence, South 00 degrees 05 minutes 36 seconds East, along the line between Sections 9 and 10, Township 8 South, Range 24 East of the Indian Meridian and Base line, a distance of 1320.06 feet to the Southeast corner of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the aforesaid Section 9, identical with the Southeast corner of a parcel of land described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, marked with a ½ inch diameter steel pin with a plastic cap marked Pollard LS961, and the Point of Beginning of the herein described parcel;

Thence, South 89 degrees 58 minutes 00 seconds West, along the south line of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the aforesaid Section 9, identical with the south line of a parcel of land described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, a distance of 1318.11 feet to the Southwest corner of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the aforesaid Section 9, identical with the Southwest corner of a parcel of land described in Book 635, Page 1037, filed June 9, 1999 in the Office of the McCurtain County Clerk, marked with a ½ inch diameter steel pin with an illegible yellow identification cap;

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TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN COUNTY IN TRUST STATUS WITH THE UNITED STATES OF AMERICA

of land as a remainder parcel of a parent tract originally described in Book 608, Page 71, filed November 7, 1997 in the Office of the McCurtain County Clerk, a distance of 402.25 feet, to a point on the north line of a parcel of land described in Book 699, Page 913, filed March 26, 2003 in the Office of the McCurtain County Clerk, marked with a ½ inch diameter steel pin with no identification cap;

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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, Head Start, and parking lot. The Nation plans to continue utilizing the property for the same purposes.


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 June 13, 2020. I further certify that the foregoing Council Bill CB- 83 -20 was adopted at such meeting by the affirmative vote of (12) members, zero (0) negative votes and zero (0) abstaining.

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Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council

Date: 6-15-2020



Gary Batten, Chief
The Choctaw Nation of Oklahoma



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Purpose of Council Bill: This bill authorizes the Chief of the Choctaw Nation to request that certain real property, located at 2408 East Lincoln, Idabel, McCurtain County, Oklahoma, be placed in trust by the U.S. Dept. of Interior, on behalf of the Nation for the purpose of

Title of Council Bill: **TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN COUNTY
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Agency: Land & Title

Budget: NA

Match: NA

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