

TO APPROVE AN EASEMENT FOR PUBLIC HIGHWAY (PARCEL # 2.0) WITH THE COUNTY OF PITTSBURG ON CHOCTAW TRIBAL FEE LAND IN PITTSBURG COUNTY, OKLAHOMA

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

ANTHONY DILLARD INTRODUCED THE FOLLOWING BILL

A COUNCIL BILL

TO APPROVE an Easement for Public Highway (Parcel # 2.0) with the County of Pittsburg, State of 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, and

WHEREAS, the County of Pittsburg has proposed an Easement for Public Highway (Parcel # 2.0) on Choctaw Tribal Fee land located in the SW¼ NW¼ of Section 22, Township 2 North, Range 15 East, Pittsburg County, OK, containing 0.22 acres, more or less (please see attached easement for full legal description); and

WHEREAS, the easement will be for a perpetual term. A council bill has also been submitted for a Donation Certificate covering this project, if approved, no payment will be exchanged for this easement.

THEREFORE BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Act be cited as approval of the proposed Easement for Public Highway (Parcel # 2.0) with the County of Pittsburg on Choctaw Tribal Fee land located in Pittsburg County, Oklahoma.

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 February 13, 2016. I further certify that the foregoing Council Bill CB-55 -16 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes, and zero (0) abstaining.

Anthony Dillard, Secretary
Choctaw Nation Tribal Council

Date: 2-16-16

Thomas Williston, Speaker
Choctaw Nation Tribal Council

Gary Patton, Chief
Choctaw Nation of Oklahoma

EASEMENT for Public Highway

Project #: **STP-161D(157)CI**
Job Piece #: **22538(05)**
Parcel #: **2.0**

KNOW ALL MEN BY THESE PRESENTS:

That Choctaw Nation of Oklahoma, P O Box 1210, Durant, OK 74702
of Pittsburg County, State of Oklahoma, hereinafter called the Grantors (whether one or more), for and in
consideration of the sum of _____ Dollars (\$ _____)
and other good, valuable and sufficient considerations, do hereby grant, bargain, sell, convey and dedicate unto
the County of Pittsburg, hereinafter called the Grantee, a perpetual easement over, under, and across the
following described lots or parcels of land, to-wit:

A strip, piece or parcel of land lying in the SW/4 NW/4 of Section 22, T2N, R15E of the Indian Meridian, Pittsburg County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Commencing at the southwest quarter of the northwest quarter of said section, thence N88°36'50"E along the south line of the northwest quarter a distance of 909.93 feet, thence N01°23'10"W perpendicular to the south line of said northwest quarter a distance of 194.79 feet to the POINT OF BEGINNING, thence N89°07'01E a distance of 405.04 feet, thence S01°22'46"E along the east line of said southwest quarter of the northwest quarter a distance of 40.00 feet, thence S89°07'01"W a distance of 405.39 feet, thence N00°52'59"W a distance of 40.00 feet to the point of beginning.

Containing 0.22 acres, more or less of new right-of-way, the remaining area included in the above described being right-of-way occupied by the present county road.

For the same consideration hereinbefore recited, this easement is granted for the purpose of enabling said Grantee, it's officers, agents, contractors, and employees, now or at any time in perpetuity and at its discretion, to go upon, construct, build, maintain, and regulate a public highway or facilities necessary and incidental thereto, including the airspace above and removal of any and all dirt, rock, gravel, sand and other road building materials, reserving and excepting unto said Grantors the mineral rights therein provided, however, that any explorations or developments of said reserved mineral rights shall not directly or indirectly interfere with the use of said land for the purposes herein granted; and reserving unto said Grantors the rights of ingress and egress to said public highway from the remaining lands of the Grantors.

The supervision and control of said public highway to be in such municipality, county or other agency of the State of Oklahoma as has or may have jurisdiction thereof by the laws of the State of Oklahoma; and said Grantee, its officers, agents, contractors and employees are hereby granted free access to said property for the purpose of entering upon, constructing, maintaining or regulating the use of said public highway and incidental facilities.

Said Grantors hereby covenant and warrant that at the time of delivery of these presents they are the owners in fee simple of the above described premises and that same are free and clear of all liens and claims whatsoever, except _____.

The undersigned Grantors hereby designate and appoint _____ as agent to execute the claim and receive the compensation herein named for said right-of-way.

IN WITNESS WHEREOF, the Grantors herein named have hereunto set their hands and seals this _____ day of _____, 2015.

