

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

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

THOMAS WILLISTON INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO AUTHORIZE the Chief to place property in Leflore County in trust status with the United States of America.

WHEREAS, in accordance with Article IX, Section 4 and 7 of the Constitution of the Choctaw Nation of Oklahoma, the Choctaw Tribal Council shall enact rule and regulations pertaining to the Choctaw Nation of Oklahoma, and shall make decisions pertaining to the acquisition, leasing, disposition and management of real property, subject to federal law, and

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, and

WHEREAS, the Choctaw Nation of Oklahoma ("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 Code of Federal Regulations (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. § 465, authorizes the Secretary of the Interior (Secretary) to acquire land in trust for Indian, and

WHEREAS, the Nation has acquired fee title to 4.984 acres of real property within the Poteau Industrial Park, located in the city of Poteau, LeFlore County, Oklahoma. The subject property is not adjacent to any trust land, but is located within the recognized former reservation and current jurisdictional boundaries of the Nation. The property is described as follows:

Beginning at the N.E. corner of Lot 3, Block 4, "At the intersection of Kerr Avenue and "B" Street, Poteau Industrial Park", Poteau, LeFlore County, Oklahoma; thence North 40 degrees, 15 minutes 56 seconds East, 60.00 feet to the Easterly Line of "B" Street for the true point of beginning; thence North 40 degrees, 15 minutes 56 seconds East, 311.06 feet to a point on the South line of Kerr Avenue extended Easterly; thence South 49 degrees, 44 minutes 04 seconds, East 698.69 feet to the Northerly line of the St. Louis San Francisco Railroad Right-of-way to a point; thence South 40 degrees, 32 minutes 22 seconds West, 311.06 feet along said Railroad right-of-way to a point; thence North 49 degrees, 44 minutes 04 seconds West 700.17 feet to the true point of beginning, containing 5.00 acres, more or less, all located in the W $\frac{1}{2}$ of Section 3, Township 6 North, Range 25 East, LeFlore County, Oklahoma, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; AND

LEGAL DESCRIPTION AS SURVEYED:

Part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3, Township 6 North, Range 25 East of the Indian Base and Meridian, LeFlore County, Oklahoma, being more particularly described as follows: Beginning at an existing 3/8" rebar on the easterly right-of-way line of "B" Street and southerly right-of-way line of Kerr Avenue, as platted in the subdivision plat of Poteau Industrial Park, Lot 2, Block 1 and Lot 3, Block 4, filed for record December 28, 1979, having coordinates of which referred to the Oklahoma State Plane Coordinate System are, N 630,911.32 usft and E 2,968,394.77 usft, South Zone (3502), NAD 1983, and from which an existing 3/8" rebar marking the Northwest Corner of said Lot 3, Block 4, bears South 40 degrees 25 minutes 30 seconds West, 60.04 feet;

From the beginning point of bearing and distance (basis of bearing, True North):

North 40 degrees 23 minutes 55 seconds East, 310.97 feet, along the southerly right-of-way line of Kerr Avenue extended to an existing 1/2" rebar, thence South 49 degrees 35 minutes 08 seconds East, crossing a set 5/8" x 24" rebar with 1 $\frac{1}{2}$ " aluminum cap stamped OK PLS 1700, 2014, at 694.79 feet, in all 699.79 feet to the Northerly right-of-way line of the former St. Louis and San Francisco Railroad; thence South 40 degrees 33 minutes 15 seconds West along said Northerly right-of-way line, 310.97 feet to a set 5/8" x 24" rebar with 1 $\frac{1}{2}$ " aluminum cap stamped OK PLS 1700, 2014; thence North 49 degrees 35 minutes 08 seconds West and along the Easterly right-of-way line of "B" Street extended, 698.95 feet to the Point of Beginning, containing 4.984 acres, more less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

According to survey by Keith A. Sikes, OKPLS#1700, Morrison Shipley Engineers, Inc., project #CNO-01, and

WHEREAS, the Nation has a commitment to improving healthy, successful, productive, and self-sufficient lifestyles for all members by providing the best health care. The Nation has built one of the largest Indian Health System mail order Pharmacies serving over 17,000 patients and pharmacy fills more than 56,000 prescriptions per month, and

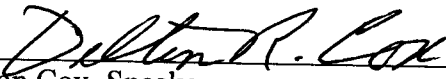
WHEREAS, the Nation intends to utilize the acquired property for a community center, clinic and pharmacy refill center located at 109 Kerr Avenue, Poteau, Oklahoma, and

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.

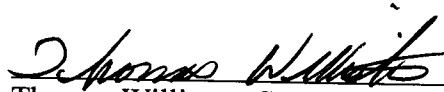
THEREFORE BE IT ENACTED, that the Choctaw Tribal Council of the Choctaw Nation of Oklahoma authorizes and approves the Chief of the Choctaw Nation of Oklahoma, or his designee, to make a request to the Secretary of the U.S. Department of the Interior, to place this property into trust status in accordance with the Bureau of Indian Affairs policy and procedure for the acquisition of land.

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) answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on May 10, 2014. I further certify that the foregoing Council Bill CB- 69 -14 was adopted at such meeting by the affirmative vote of (12) twelve members, (0) zero negative votes and zero (0) abstaining.



Delton Cox, Speaker
Choctaw Nation Tribal Council



Thomas Williston, Secretary
Choctaw Nation Tribal Council



Gary Baton, Chief
Choctaw Nation of Oklahoma

Date: 5-13-14