

TO APPROVE A SERVICE LINE AGREEMENT WITH OKLAHOMA GAS & ELECTRIC COMPANY ON LAND USA IN TRUST FOR THE CHOCTAW NATION IN LEFLORE COUNTY, OKLAHOMA

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

ANTHONY DILLARD INTRODUCED THE FOLLOWING BILL

A COUNCIL BILL

TO APPROVE a Service Line Agreement to Oklahoma Gas & Electric Company (OG&E), in LeFlore 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, and

WHEREAS, OG&E has proposed a Service Line Agreement on land USA in Trust for the Choctaw Nation of Oklahoma, the site of the new Heavener Travel Plaza, located in part of the NE¼ NW¼ of Section 18, Township 5 North, Range 26 East, LeFlore County, Oklahoma, being the North 15 feet thereof as shown on the attached plat; and

WHEREAS, the proposed service line agreement will be for the sole use and benefit of the Choctaw Nation.

THEREFORE BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Act be cited as approval of the proposed service line agreement in favor of OG&E on land USA in Trust for the Choctaw Nation of Oklahoma located in LeFlore 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 June 11, 2016 . I further certify that the foregoing Council Bill CB- 112 -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

Thomas Williston, Speaker
Choctaw Nation Tribal Council

Date: 6-13-16

Gary Patton, Chief
Choctaw Nation of Oklahoma

SERVICE LINE AGREEMENT

WHEREAS, the OKLAHOMA GAS & ELECTRIC COMPANY, its successors and assigns, hereinafter, termed "Applicants," has been requested to construct, maintain, operate, transmit, distribute, repair and replace a service line in order to provide ELECTRIC service to USA IN TRUST FOR THE CHOCTAW NATION OF OKLAHOMA, hereinafter termed "Authorized Occupant," who is the owner, legally authorized occupant or lessee of a tract of trust land identified and described as follows:

Utility Easement Description:

PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 26 EAST, LEFLORE COUNTY, OKLAHOMA, BEING THE NORTH 15 FEET THEREOF AS SHOWN ON THE ATTACHED PLAT MARKED EXHIBIT A.

WHEREAS, the location of the service line required to serve the above described property, and its extent, is more particularly shown and delineated on the attached plat marked "Exhibit A," which has been prepared in accordance with 25 CFR 169.56, and which by this reference is made a part hereof; and

WHEREAS, the regulations of 25 CFR 169.54 provide that an agreement shall be entered into by and between the landowner to a legally authorized occupant or lessee of the applicant before any work by the applicant may be undertaken to construct a service line across such land; and

WHEREAS, those regulations further provide that the service line shall be for the sole purpose of supplying the owner or authorized occupant or lessee of land, including schools and churches with telephone, water, electric power, gas or other utilities for use by such owner, occupant or lessee of the land on the premises.

Now, therefore, it is hereby agreed that in consideration of the applicant furnishing ELECTRICAL services to the herein described property, the Authorized Occupant hereby grants permission to applicant to construct and maintain a service line over, in, upon and across the said property without the payment of any monetary compensation for damages.

Applicant agrees to comply with all the applicable requirements of 25 CFR 169 Subpart B.

This agreement is in the nature of a license revocable at any time at the sole option of the Authorized Occupant, and conveys no interest in the land traversed whatever.

Each person signing this Service Line Agreement represents and warrants that he or she is duly authorized to execute and deliver this Service Line Agreement. Each party represents and warrants to the other that the execution and delivery of this Service Line Agreement and the performance of such party's obligations hereunder have been duly authorized and that the Service Line Agreement is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

In witness whereof, this agreement was executed this _____ day of _____, 20__.

Oklahoma Gas & Electric Company

By: _____

In witness whereof, this agreement was executed this _____ day of _____, 20__.

USA in Trust for the CHOCTAW NATION

By: _____
Gary Batton, Chief

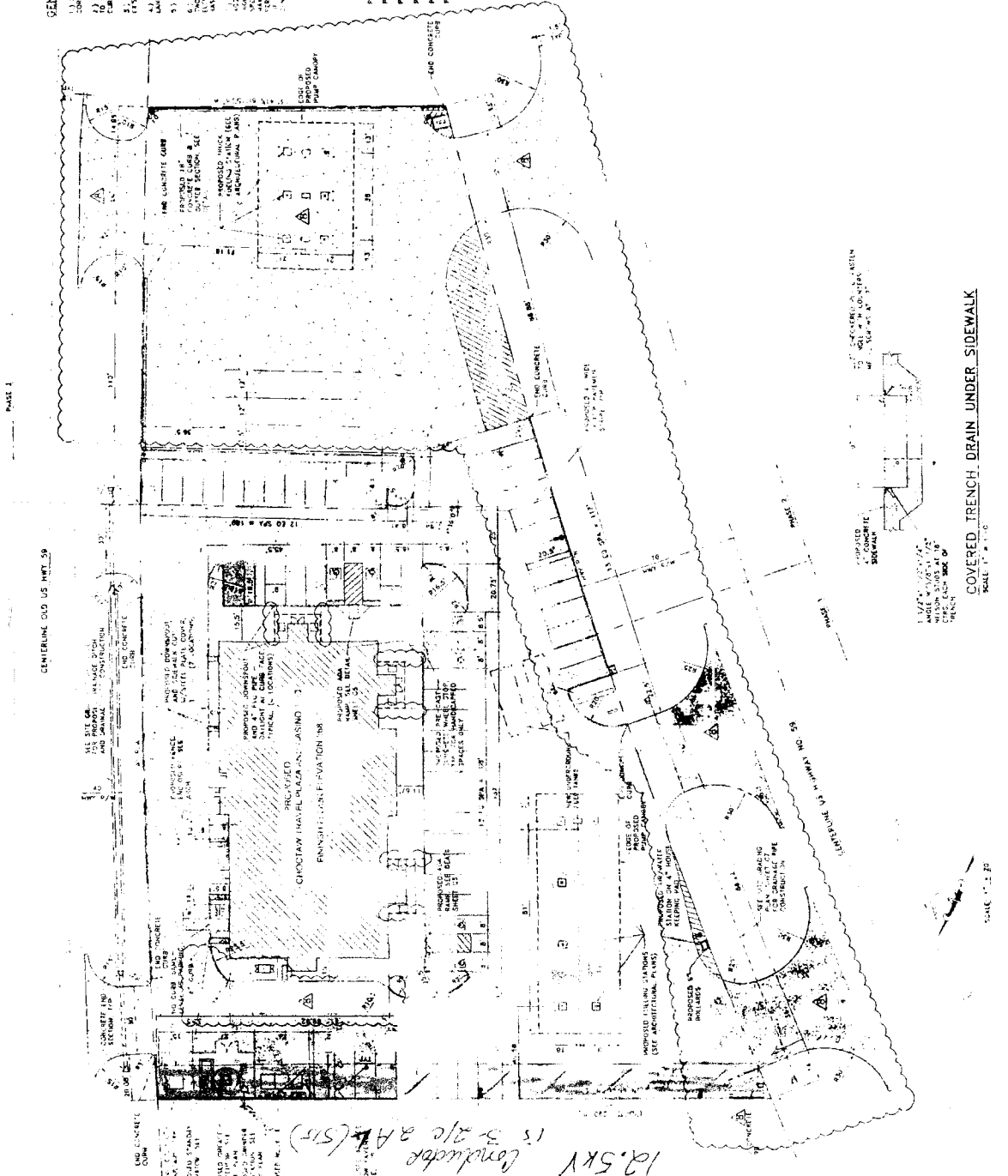
Filed with the Regional Director, _____ Regional Office on _____, 20__.



GENERAL CONSTRUCTION NOTES:

1. SHOW DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
2. ALL CONSTRUCTION SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL CITY ORDINANCES.
3. ALL CONSTRUCTION SHALL BE CONSTRUCTED WITH 100% CEMENTitious SAND CONCRETE UNLESS OTHERWISE NOTED.
4. ALL CONCRETE SHALL BE PLACED IN 4" TO 6" COURSES.
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LEGEND
 PROPOSED CONCRETE SIDEWALK
 PROPOSED STD. DUMP CONCRETE PAVING
 PROPOSED HEAVY DUMP CONCRETE PAVING
 PROPOSED FLEX BASE (BULK MIX)
 PROPOSED BUILDING
 PROPOSED PAV. STAMPING



COVERED TRENCH, DRAIN UNDER SIDEWALK
 SCALE 1/8" = 1'-0"

