

**TO AMEND CB-105-97  
TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN MCCURTAIN COUNTY IN TRUST  
STATUS WITH THE UNITED STATES OF AMERICA AS AMENDED**

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**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

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**A COUNCIL BILL**

**TO APPROVE**, the amendment of CB-105-97, the Nation desires to amend the legal description and purpose for this acquisition of land into trust status. The original Trust Acquisition was never completed. This amendment is necessary for current regulations.

**WHEREAS**, in accordance with Article IX, Sections 4 and 6 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 Indians; and

**WHEREAS**, the subject property is located within the recognized former reservation and current jurisdictional boundaries of the Nation, a federally recognized Tribe. The property is described as follows:

**Tract 1:** The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ), and all that part of Lot Five (5) lying East of the East Right-of-way Line of State Highway 37 granted by Deed to the State of Oklahoma and recorded in Book No. 872 Page No. 955 in the official records of McCurtain County, all being in Section 8, Township 8 South, Range 22 East, Indian Meridian, McCurtain County, Oklahoma, and being more particularly described in True bearings as follows: Beginning at the Center Corner of Section 8 marked with a  $\frac{1}{2}$  inch diameter iron rod, as filed in the Oklahoma Certified Corner Records in the Oklahoma Department of Libraries; thence South 00 degree 06 minutes 21 seconds East, on the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ , a distance of 1327.95 feet to the Southeast corner thereof, marked with a  $\frac{1}{2}$  inch diameter iron rod with cap marked BMA 5975; thence South 89 degrees 58 minutes 04 seconds West, on the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ , a distance of 1323.46 feet to the Southwest corner thereof, marked with a  $\frac{1}{2}$  inch diameter iron rod with cap marked BMA 5975; thence South 00 degrees 03 minutes 51 seconds East, on the East line of said Lot 5, a distance of 360.25 feet to the Southeast corner thereof, marked with a  $\frac{1}{2}$  inch diameter iron rod; thence North 57 degrees 01 minutes 07 seconds West, on the South line of said Lot 5, a distance of 98.63 feet to a point in the East Right-of-Way Line of State Highway 37, marked with a  $\frac{1}{2}$  inch

diameter iron rod with cap marked BMA 5975; thence along said East Right-of-Way Line for the following three (3) courses; thence North 00 degrees 47 minutes 12 seconds East, a distance of 72.50 feet to a ½ inch diameter iron rod with cap marked BMA 5975; thence North 06 degrees 22 minutes 55 seconds West, a distance of 800.62 feet to a ½ inch diameter iron rod with cap marked BMA 5975; thence North 00 degrees 46 minutes 31 seconds East, a distance of 760.43 feet to a point in the North line of said Lot 5, marked with a ½ inch diameter iron rod; thence North 89 degrees 44 minutes 21 seconds East, along said North line, a distance of 158.56 feet to the Northeast corner of said Lot 5, same being the Northwest corner of said NE¼SW¼; thence continuing North 89 degrees 44 minutes 21 seconds East, along the North line of said NE¼SW¼, a distance of 1322.50 feet to the True Point of Beginning, containing 45.60 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; and

**Tract 2:** All that part of Lot 5, Section 8, Township 8 South, Range 22 East, Indian Meridian, McCurtain County, Oklahoma, lying West of the West Right-of-Way Line of State Highway 37 granted by Deed to the State of Oklahoma and recorded in Book No. 872 Page No. 955 in the official records of McCurtain County, being more particularly described in True bearings as follows: Beginning at the Quarter Section corner for Sections 7 and 8, same being the Northwest corner of said Lot 5, marked with a ½ inch diameter iron rod, as filed in the Oklahoma Certified Corner Records in the Oklahoma Department of Libraries; thence North 89 degrees 44 minutes 21 seconds East, on the North line of said Lot 5, a distance of 1043.93 feet to a point in the West Right-of-Way Line of State Highway 37, marked with a ½ inch diameter iron rod; thence South 00 degrees 46 minutes 31 seconds West, along said West Right-of-Way Line, a distance of 1486.74 feet to a point in the South line of said Lot 5, marked with a ½ inch diameter iron rod; thence North 57 degrees 01 minutes 07 seconds West, on said South line, a distance of 799.45 feet to a ½ inch diameter iron rod with cap marked BMA 5975; thence North 80 degrees 57 minutes 38 seconds West, continuing on said South line, a distance of 357.24 feet to the Southwest corner of said Lot 5, marked with a ½ inch diameter iron rod; thence North 00 degrees 01 minutes 21 seconds West, on the West line of said Lot 5, a distance of 990.53 feet to the True Point of Beginning, containing 28.12 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; and

**WHEREAS**, the Nation has determined the need for additional trust land to its land base to promote tribal self-determination and sovereignty, self-sufficiency and economic independence, by pursuing economic development opportunities and sustainable income for the Nation. This acquisition will provide tribal employment opportunities and generate revenue from which it can invest into education, health care, housing, job training, and numerous other governmental services provided to tribal members; and


**WHEREAS**, the Nation desires to amend the purpose for the acquisition of land into trust status. Tract I, the Nation intends to utilize the property for a tree farm for the Choctaw Farms; and Tract II, the Nation intends to continue using the existing building for a travel plaza; 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.

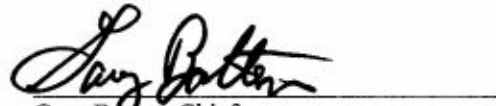
**THEREFORE, BE IT ENACTED**, that the Choctaw Tribal Council of the Choctaw Nation of Oklahoma authorizes and approves the Chief of the Choctaw Nation of Oklahoma, or his designee, to make a request as amended to the Secretary of the U.S. Department of the Interior, to place this property into trust 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) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on September 09, 2017. I further certify that the foregoing Council Bill CB- 123 -17 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.

  
Delton Cox, Speaker  
Choctaw Nation Tribal Council

  
Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
Gary Batten, Chief  
Choctaw Nation of Oklahoma

Date 9-11-17