

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

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

ANTHONY DILLARD 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 the below mentioned property in Bryan County in trust status with the United States of America.

WHEREAS, in accordance with Article IX, Section 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 Nation has acquired fee title to 73.51 acres of real property located in Durant, Bryan County, Oklahoma. The subject property is contiguous to trust land on the western boundary of Tract 1, and located within the recognized former reservation and current jurisdictional boundaries of the Nation. The property is described as follows:

A part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 7 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, being more particularly described as follows: Commencing at the Southeast Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12, thence North 00 degrees 50 minutes 28 seconds West 40.00 feet to the True Point of Beginning; thence North 00 degrees 50 minutes 28 seconds West 400.00 feet; thence South 89 degrees 09 minutes 32 seconds West 200.00 feet; thence South 00 degrees 50 minutes 28 seconds East 400.00 feet; thence North 89 degrees 09 minutes 32 seconds East 200.00 feet to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST, (Warranty Deed, filed July 8, 2009, in Book 1232, Page 46); and

A part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 7 South, Range 8 East, of the I.B.M., Bryan County, Oklahoma, described as follows: Commencing at the Southeast Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12, thence South 89 degrees 14 minutes 45 seconds West, a distance of 400.00 feet; thence North 00 degrees 52 minutes 02 seconds West a distance of 40.00 feet to the Point of Beginning; thence continuing North along said line a distance of 400.00 feet; thence North 89 degrees 14 minutes 45 seconds East, a distance of 200.00 feet; thence South 00 degrees 52 minutes 02 seconds East, a distance of 400.00

feet; thence South 89 degrees 14 minutes 45 seconds West, a distance of 200.00 feet to the Point of Ending, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST, (Sheriff's Deed, filed October 31, 2003, in Book 1042, Page 930); and

A tract of land situated in the SE/4 of Section 12, Township 7 South, Range 8 East, of the I.B.M., Bryan County, State of Oklahoma, better described as follows: Beginning at the Southeast Corner of said SE/4; thence South 89 degrees 15 minutes 04 seconds West along the South line thereof a distance of 217.00 feet to the True Point of Beginning; thence South 89 degrees 15 minutes 04 seconds West along said South line a distance of 589.75 feet; thence North 00 degrees 52 minutes 19 seconds West parallel to the East Right of Way of Enterprise Road a distance of 440.00 feet; thence South 89 degrees 15 minutes 04 seconds West parallel to said South line a distance of 400.00 feet to a point on said right of way; thence North 00 degrees 52 minutes 19 seconds West along said right of way a distance of 1322.85 feet; thence North 89 degrees 14 minutes 22 seconds East parallel to the North line of said SE/4 a distance of 330.00 feet; thence North 00 degrees 52 minutes 19 seconds West parallel to said right of way a distance of 382.50 feet; thence North 89 degrees 14 minutes 22 seconds East parallel to said North line a distance of 875.41 feet to a point on the East line of said SE/4; thence South 00 degrees 54 minutes 28 seconds East along said East line a distance of 1678.24 feet; thence South 89 degrees 15 minutes 04 seconds West parallel to said South line of said SE/4 a distance of 217.00 feet; thence South 00 degrees 54 minutes 28 seconds East parallel to said East line a distance of 467.36 feet to True Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST, (Warranty Deed, filed June 17, 2005, in Book 1088, Page 502); and

A part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 7 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as Beginning at the Southeast Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12; thence North 00 degrees 50 minutes 28 seconds West 40.00 feet; thence North 89 degrees 09 minutes 32 seconds East 112.00 feet to the true Point of Beginning; thence North 89 degrees 09 minutes 32 seconds East 400.00 feet; thence North 00 degrees 50 minutes 28 seconds West 400.00 feet; thence South 89 degrees 09 minutes 32 seconds West 400.00 feet; thence South 00 degrees 50 minutes 28 seconds East 400.00 feet to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST, (Warranty Deed, filed July 8, 2009, in Book 1232, Page 51); and

The North 495 feet of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 7 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, lying East of Roadway in favor of the City of Durant, recorded in Book 864, Page 175, according to the Government Survey thereof, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST, (Warranty Deed, filed October 8, 2008, in Book 1210, Page 605); and

A tract of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 7 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: Beginning at the Southeast Corner of Section 12, thence North 00 degrees 00 minutes 22 seconds West along the East line of the SE $\frac{1}{4}$, of said Section 12, a distance of 467.36 feet; thence North 89 degrees 52 minutes 05 seconds West a distance of 217.00 feet; thence South 00 degrees 00 minutes 22 seconds East a distance of 467.36 feet; to a point on the South line of said Section 12, thence South 89 degrees 52 minutes 05 seconds East along said South line a distance of 217.00 feet; to the Point of Beginning, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST, (Warranty Deed, filed May 29, 2012, in Book 1311, Page 83).

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

Tract 1: A tract of land in the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 12, Township 7 South, Range 8 East, Indian Base and Meridian, Bryan County, Oklahoma, being more particularly described in True bearings as follows: Commencing from the Southeast Corner of said Section 12; thence North 89 degrees 51 minutes 08 seconds West, along the South line of the SE $\frac{1}{4}$, a distance of 1318.80 feet to the Southeast Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 00 degrees 01 minutes 13 seconds East, along the East line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 40.00 feet to the Point of Beginning, said point being the Southeast Corner of a Tract as described and filed in Book 1232 at Page 46 in the Office of the Bryan County Clerk; thence North 89 degrees 51 minutes 08 seconds West, parallel with the South line of the SE $\frac{1}{4}$, a distance of 400.00 feet to the Southwest Corner of a Tract as described and filed in Book 1042 at Page 930 in the Office of the Bryan County Clerk; thence North 00 degrees 01 minutes 13 seconds East along the West line of said tract, a distance of 400.00 feet to the Northwest Corner thereof; thence

South 89 degrees 51 minutes 08 seconds East along the North line of said tract passing thru the Northwest Corner of a tract as described and filed in Book 1232 at Page 46 at a distance of 200.00 feet and continuing for a total distance of 400.00 feet to a point on the East line of the SW¹/₄ SE¹/₄; thence South 00 degrees 01 minutes 13 seconds West along the East line of the SW¹/₄ SE¹/₄, a distance of 400.00 feet to the Point of Beginning, containing 3.67 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST; and

Tract 2: A tract of land in the East Half (E¹/₂) of the Southeast Quarter (SE¹/₄) of Section 12, Township 7 South, Range 8 East, Indian Base and Meridian, Bryan County, Oklahoma, being more particularly described in True bearings as follows: Beginning at the Southeast Corner of said Section 12; thence North 89 degrees 51 minutes 08 seconds West along the South line of the SE¹/₄ a distance of 806.80 feet; thence North 00 degrees 01 minutes 13 seconds East parallel with the West line of the E¹/₂ SE¹/₄, a distance of 40.00 feet to the Southeast Corner of a tract of land as described and filed in Book 1232 at Page 51 in the Office of the Bryan County Clerk; thence North 89 degrees 51 minutes 08 seconds West along the South line of said tract, a distance of 400.00 feet to the Southwest Corner thereof, said corner being on with the East line of a Roadway Easement as described and filed in Book 864 at Page 175 in the Office of the Bryan County Clerk; thence North 00 degrees 01 minutes 13 seconds East along said East line, a distance of 1722.88 feet to the Southwest Corner of a tract as described and filed in Book 920 at Page 801 in the Office of the Bryan County Clerk; thence along the boundary of said tract for the following three (3) Courses; (1) South 89 degrees 52 minutes 08 seconds East, a distance of 330.00 feet to the Southeast Corner thereof; (2) North 00 degrees 01 minutes 13 seconds East, a distance of 382.50 feet to the Northeast Corner thereof; (3) North 89 degrees 52 minutes 08 seconds West, a distance of 330.00 feet to the Northwest Corner thereof, said point being on the East line of a Roadway Easement as described and filed in Book 864 at Page 175; thence North 00 degrees 01 minutes 13 seconds East along said East line, a distance of 495.00 feet to a point on with the North line of the SE¹/₄; thence South 89 degrees 52 minutes 08 seconds East along said North line, a distance of 1205.20 feet to the Northeast Corner of the Southeast Quarter (SE¹/₄); thence South 00 degrees 00 minutes 52 seconds East along said East line, a distance of 2640.74 feet to the Point of Beginning, containing 69.84 acres, more or less, LESS AND EXCEPT ANY AND ALL MINERAL INTEREST.

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 self-sufficiency, by utilizing economic development to diversify its economic and land base so that it has other revenue generating businesses for future source of revenue. Revenue generated from economic development would be used to create employment opportunities, and support governmental services such as education, healthcare, housing, and other governmental services for tribal members and the Nation; and

WHEREAS, the Nation intends to use the property for a RV Park, a restaurant facility, auto repair shop, offices for education and construction; 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.

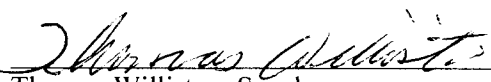
THEREFORE, BE IT ENACTED, that the Choctaw Tribal Council of the Choctaw Nation of Oklahoma authorizes and approves the Chief of the Choctaw Nation of Oklahoma, or his designee, to make a request to the Secretary of the U.S. Department of the Interior, to place this property into trust status in accordance 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) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on August 13, 2016. I further certify that the foregoing Council Bill CB- 141 -16 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes and zero (0) abstaining.




Anthony Dillard, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council

Date: 8-17-16



Gary Patton, Chief
Choctaw Nation of Oklahoma

40013796400

Roberts Road

40013796002

US Hwy 89 EUS
MKT Railroad

40013796500

Rodeo Road