

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

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY 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 this acquisition of land into trust status with the United States of America.

WHEREAS, in accordance with Article IX, Section 6 of the Constitution of the Choctaw Nation of Oklahoma, the Choctaw Tribal Council (the "Council") shall make decisions pertaining to the acquisition, leasing, disposition and management of real property;

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;

WHEREAS, the Choctaw Nation of Oklahoma (the "Nation") is a federally recognized tribe with authority to acquire land for the purpose of promoting the general welfare of its people and taking further advantage of opportunities for self-determination and economic independence. As a federally recognized tribe, the Nation is eligible to utilize the fee to trust application process set out in the 25 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. § 5108, formerly 25 U.S.C. § 465, authorizes the Secretary of the Interior (the "Secretary") to acquire land in trust for Indians;

WHEREAS, the Nation has fee title to 20.00 acres of real property (the "Subject Property") located on the southside of Choctaw Road and westside of U.S. Highway 69/75 Business within the City of Durant, Bryan County, Oklahoma. See Exhibit A. The Subject Property is within the exterior treaty boundaries of the Choctaw Nation of Oklahoma and as such, is within the Nation's reservation identified in the Treaty of April 28, 1866, (14 Stat. 769);

WHEREAS, the Nation has determined the need to place land into trust to increase the tribal land base to accommodate increase in governmental services to tribal members to promote tribal self-determination and sovereignty, self-sufficiency and economic independence. The Nation has approximately 200,000 enrolled members, approximately 47,649 living in the tribal service area. See BIA, American Indian Population and Labor Force Report, (2010). The Nation expects tribal membership to increase along with tribal services. This growth is expected to continue, and this acquisition will address the Nation's need for additional land;

WHEREAS, the Subject Property is located on the Southside of Choctaw Road and Westside of U.S. Highway 69/75 Business, within the City of Durant, Bryan County, Oklahoma, and contiguous to trust property on the east boundary. The Subject Property is currently owned by the Nation and the property will be used to facilitate self-determination and provide governmental service to Tribal citizens and community. The Nation intends to continue to use the land for a parking lot for an existing travel plaza located at 4305 Choctaw Road which is held in trust, and storage area for temporary storage buildings. This acquisition will provide additional parking area for travel plaza and provide easier access and parking for Tribal members and community;

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; and

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WHEREAS, the Council has determined it is in the best interest of the Nation to place the property described below, located in Bryan County, Oklahoma in trust status with the U.S.A.

THEREFORE, BE IT ENACTED, that the 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 the following property described below into trust for the purpose of increasing the tribal trust land base:

Indian Meridian, Oklahoma
T.7 S., R. 8 E.,
sec. 13, W1/2 NE1/4 NW1/4.
The area described contains 20 acres of land.

EXCEPT all oil, gas and other minerals lying in and under said property.

"This description and this deed are intended to convey to the United States any interest that the Choctaw Nation of Oklahoma may have in the described tract or any interest it may have acquired by virtue of a deed from Emily Mitchell Suman, dated December 9, 1994, and filed or record at Book 860, Page 249, in Bryan County, Oklahoma."

BE IT FURTHER ENACTED by the Tribal Council that this Bill be cited as approval of the property's current utilization to facilitate self-determination and provide governmental services to Tribal citizens and community and approval of its current improvements, which include a parking lot, and a temporary storage containers. The Nation intends to continue utilizing the property for the same purposes.

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 October 9, 2021. I further certify that the foregoing Council Bill CB- 28 -22 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes and zero (0) abstaining.

Ronald Perry, Secretary
Choctaw Nation Tribal Council

Date: 10-15-21

Thomas Williston, Speaker
Choctaw Nation Tribal Council

Gary Batten, Chief
The Choctaw Nation of Oklahoma

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Purpose/Need of Council Bill: This bill proposes to place 20.00 acres of real property located on the southside of Choctaw Road and westside of U.S. Highway 69/75 Business within the City of Durant, Bryan County, Oklahoma in to trust. See Exhibit A. The Subject Property is currently owned by the Nation and the property will be used to facilitate self-determination and provide governmental service to Tribal citizens and community. The Nation intends to continue to use the land for a parking lot for an existing travel plaza located at 4305 Choctaw Road which is held in trust, and storage area for temporary storage buildings. This acquisition will provide additional parking area for travel plaza and provide easier access and parking for Tribal members and community.

Title of Council Bill: TO AUTHORIZE THE CHIEF OF THE CHOCTAW NATION TO PLACE PROPERTY IN BRYAN COUNTY IN TRUST STATUS WITH THE UNITED STATES OF AMERICA

Agency: Land & Title

Budget: N/A

Match Required: N/A

Request By/Project Director: Donna Loper, Executive Director of Land & Title, Kelly McKaughan, SEO, Integrated Services

EXHIBIT
A

0013796100

E2110 Road

40013796002

CHOCTAW NATION (HELD IN TRUST)

CHOCTAW NATION (HELD IN TRUST)

CHOCTAW NATION (HELD IN TRUST)

CHOCTAW HOUSING

CHOCTAW DURANT PROPERTIES, INC

HOUSING AUTHORITY OF THE

CHOCTAW NATION OF OKLAHOMA

CHOCTAW NATION (HELD IN TRUST)

CHOCTAW HOUSING

CHOCTAW NATION OF OKLAHOMA

CHOCTAW NATION OF OKLAHOMA

STATE HIGHWAY DEPARTMENT

