

TO APPROVE A SERVICE LINE AGREEMENT, IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, ON LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW NATION OF OKLAHOMA IN BRYAN COUNTY, OKLAHOMA (LARGE CASINO SKID METER)

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING BILL

A COUNCIL BILL

TO APPROVE a service line agreement in favor of Oklahoma Natural Gas Company, a division of ONE Gas, Inc., on land held by the USA in Trust for the Choctaw Nation of Oklahoma in Bryan 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;"

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

WHEREAS, Oklahoma Natural Gas Company will provide a large casino skid meter for natural gas service for the Choctaw Nation Casino expansion project in Durant, Oklahoma. It is in part of the NE¼ of Section 13, Township 7 South, Range 8 East of the Indian Meridian, Bryan County, Oklahoma. Please see attached Survey and Legal Description labeled Exhibit A, Service Line Agreement labeled Exhibit B, and location map labeled Exhibit C;

WHEREAS, the payment will be \$0.00 because the service is being installed at the request and for the benefit of the Choctaw Nation of Oklahoma;

WHEREAS, the service line agreement shall be for a perpetual term so long as it is used for its intended purpose; and

WHEREAS, the Tribal Council (the "Council") has determined it is in the best interest of the Choctaw Nation of Oklahoma to grant this service line agreement in favor of Oklahoma Natural Gas Company.

THEREFORE BE IT ENACTED by the Tribal Council that this Bill be cited as approval of the proposed service line agreement for a perpetual term, described as being in Section 13, Township 7 South, Range 8 East, Bryan County, Oklahoma (See page 1 of Exhibit B), in favor of Oklahoma Natural Gas Company on land held by the USA in Trust for the Choctaw Nation of Oklahoma.

BE IT FUTHER ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma, that this bill be cited for approval for the payment of \$0.00 and for a perpetual term so long as it's used for its intended purpose.

BE IT FURTHER ENACTED by the Council that this Bill be cited as an acknowledgement that the Chief of the Nation, or his designee, is authorized to prepare, execute, deliver and file any and all agreements, certificates, instruments and documents, in such form and with such terms and provisions as the Chief of the Nation, or his designee, may approve, and to take such other action as he, she or they may deem proper or appropriate, to carry out the intent and purposes of the foregoing enactments.

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 April 10, 2021. I further certify that the foregoing Council Bill CB- 50 -21 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes, and zero (0) abstaining.

TO APPROVE A SERVICE LINE AGREEMENT, IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, ON
LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW NATION OF OKLAHOMA IN BRYAN COUNTY,
OKLAHOMA (LARGE CASINO SKID METER)



Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council

Date: 4-13-21



Gary Batton, Chief
Choctaw Nation of Oklahoma

TO APPROVE A SERVICE LINE AGREEMENT, IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, ON LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW NATION OF OKLAHOMA IN BRYAN COUNTY, OKLAHOMA (LARGE CASINO SKID METER)

Purpose of Council Bill: To approve a service line agreement, in favor of Oklahoma Natural Gas Company, a division of ONE Gas, Inc., on land held by the USA in Trust for the Choctaw Nation of Oklahoma in Bryan County, OK. Oklahoma Natural Gas Company will provide a large casino skid meter for natural gas service for the Choctaw Nation Casino expansion project in Durant, OK, located in Section 13, Township 7 South, Range 8 East, Bryan County, Oklahoma. See attached survey labeled Exhibit A, Service Line Agreement labeled Exhibit B, and location map labeled Exhibit C.

Title of Council Bill: TO APPROVE A SERVICE LINE AGREEMENT, IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, ON LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW NATION OF OKLAHOMA IN BRYAN COUNTY, OKLAHOMA (LARGE CASINO SKID METER)

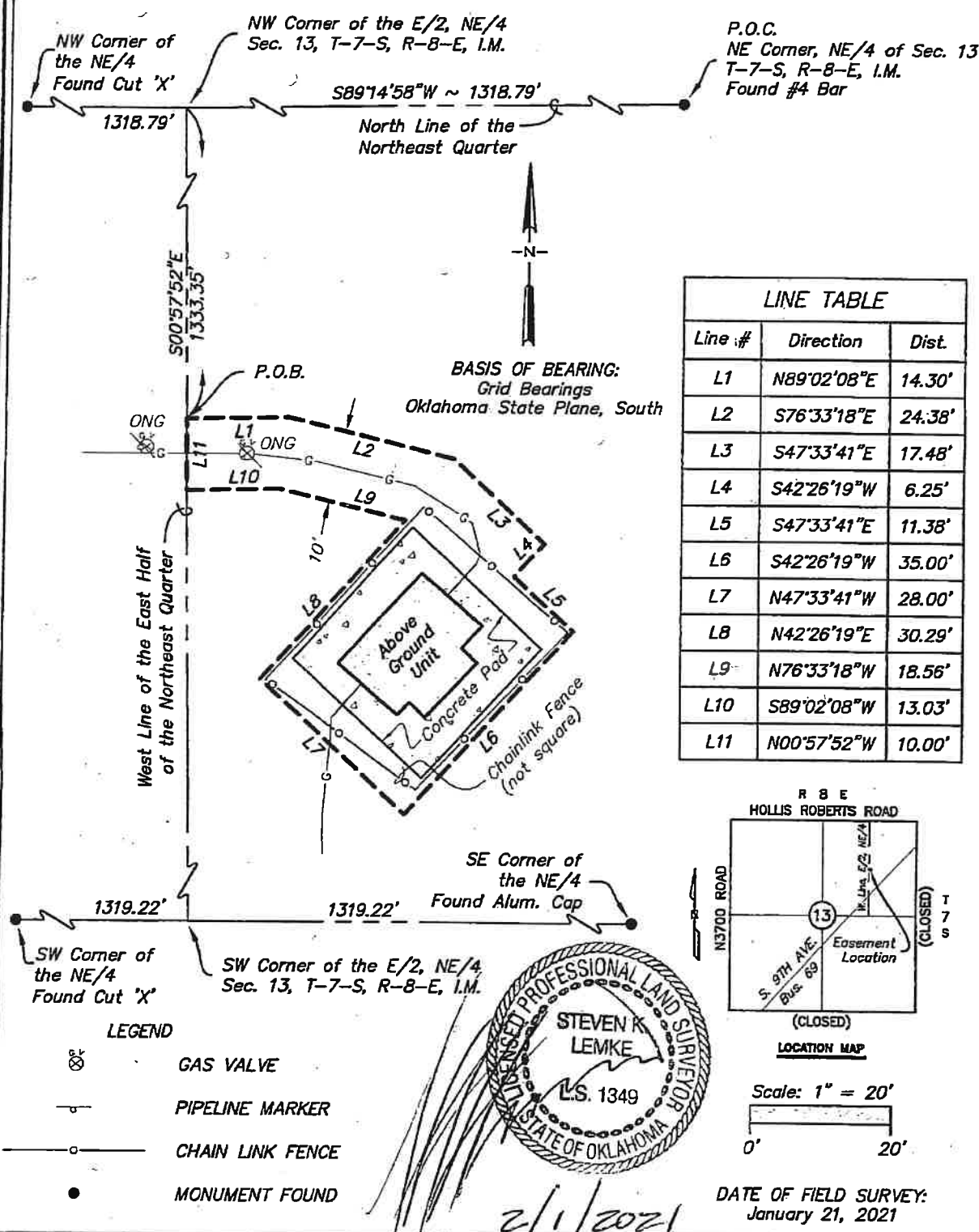
Grantee: Oklahoma Natural Gas Company

Duration: Perpetual

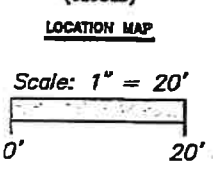
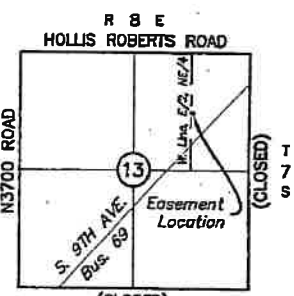
Payment: \$0.00

Request by Project Director: Traci Umsted, Senior Director of Land & Title, Kelly McKaughan, Senior Executive Officer

EXHIBIT A



| Line # | Direction | Dist. |
|--------|-------------|--------|
| L1 | N89°02'08"E | 14.30' |
| L2 | S76°33'18"E | 24.38' |
| L3 | S47°33'41"E | 17.48' |
| L4 | S42°26'19"W | 6.25' |
| L5 | S47°33'41"E | 11.38' |
| L6 | S42°26'19"W | 35.00' |
| L7 | N47°33'41"W | 28.00' |
| L8 | N42°26'19"E | 30.29' |
| L9 | N76°33'18"W | 18.56' |
| L10 | S89°02'08"W | 13.03' |
| L11 | N00°57'52"W | 10.00' |



DATE OF FIELD SURVEY:
January 21, 2021

- LEGEND**
- GAS VALVE
 - PIPELINE MARKER
 - CHAIN LINK FENCE
 - MONUMENT FOUND



2/1/2021

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| | |
|----------------------|--|
| Surveyed By: TA, MD | Project: EASEMENT |
| Drawn By: TG | CHOCTAW CASINO, DURANT, OK |
| Approved By: SKL | Project Location: Pt E/2, NE/4, SEC 13, T-7-S, R-8-E, I.M. |
| Date: 02/01/2020 | BRYAN COUNTY, OKLAHOMA |
| Scale: 1" = 20' | Client: ONE Gas |
| Project No: 01027720 | TULSA, OK |

Sheet Number
1
Sheet 1 of 2

EXHIBIT A

LEGAL DESCRIPTION

A ONG Gas Easement being part of the East Half of the Northeast Quarter of Section 13, Township 7 South, Range 8 East of the Indian Meridian, Bryan County, Oklahoma, and being more particularly described by perimeter metes and bounds as follows:


COMMENCING at the Northeast Corner of said Northeast Quarter;
THENCE South 89° 14' 58" West, along the north line of said Northeast Quarter, a distance of 1318.79 feet to the Northwest Corner of said East Half of the Northeast Quarter;
THENCE South 00° 57' 52" East, along the west line of said East Half of the Northeast Quarter, a distance of 1333.35 feet to the POINT OF BEGINNING;
THENCE North 89° 02' 08" East a distance of 14.30 feet;
THENCE South 76° 33' 18" East a distance of 24.38 feet;
THENCE South 47° 33' 41" East a distance of 17.48 feet;
THENCE South 42° 26' 19" West a distance of 6.25 feet;
THENCE South 47° 33' 41" East a distance of 11.38 feet;
THENCE South 42° 26' 19" West a distance of 35.00 feet;
THENCE North 47° 33' 41" West a distance of 28.00 feet;
THENCE North 42° 26' 19" East a distance of 30.29 feet;
THENCE North 76° 33' 18" West a distance of 18.56 feet;
THENCE South 89° 02' 08" West a distance of 13.03 feet to a point of the west line of said East Half of the Northeast Quarter;
THENCE North 00° 57' 52" West, along the west line of said East Half of the Northeast Quarter, a distance of 10.00 feet to the POINT OF BEGINNING and containing 1,440 square feet more or less.

Basis of Bearing: Grid North of the Oklahoma State Plane Coordinate System, South Zone - 1983

Legal Description prepared by Steven K. Lemke, PLS No. 1349 on May February 1, 2021.

Steven K. Lemke, P.L.S.  *1/2021*
 Date

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2025 STATE OF OKLAHOMA
 EXPIRES ON 12/31/2025
 PROFESSIONAL LAND SURVEYOR
 No. 1349

| | |
|----------------------|--|
| Surveyed By: TA, MD | Project: EASEMENT |
| Drawn By: TG | CHOCTAW CASINO, DURANT, OK |
| Approved By: SKL | Project Location: Pt E/2, NE/4, SEC 13, T-7-S, R-8-E, I.M. |
| Date: 02/01/2020 | BRYAN COUNTY, OKLAHOMA |
| Scale: 1" = 20' | Client: ONE Gas |
| Project No: 01027720 | TULSA, OK |

| | |
|--------------|---|
| Sheet Number | 2 |
| Sheet 2 of 2 | |

EXHIBIT B

SERVICE LINE AGREEMENT

WHEREAS, OKLAHOMA NATURAL GAS COMPANY, a division of ONE Gas, Inc., its successors and assigns, hereinafter, termed "Applicants," has been requested for the purposes of construct, maintain, operate, transmit, distribute, repair and replace a service line in order to provide NATURAL GAS 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:

IN PART OF THE NE/4 OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 8 EAST OF THE INDIAN MERIDIAN, BRYAN COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED TO BE 1,440 SQUARE FEET MORE OR LESS, AS SHOWN ON EXHIBIT A, ATTACHED HERETO.

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 a 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 NATURAL GAS services to the within 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.

