

**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 (POOL METER)**

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

**RONALD PERRY INTRODUCED THE FOLLOWING BILL**

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**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 meter for natural gas service for the Choctaw Nation Casino Pool expansion project in Durant, Oklahoma. The project is described as a 10-foot wide easement, in part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13, Township 7 South, Range 8 East of the Indian Meridian Base, Bryan County, OK. Please see attached Service Line Agreement labeled Exhibit A, Survey Map and legal description 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's used for its intended purpose; and

**WHEREAS**, the Tribal 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, OK, in favor of Oklahoma Natural Gas Company, on land held by the USA in Trust for the Choctaw Nation of Oklahoma. See page 1 of Exhibit A.

**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.

**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 (POOL METER)**

**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- 51 -20 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

  
\_\_\_\_\_  
Thomas Williston, Speaker  
Choctaw Nation Tribal Council

Date: 4-13-21\_\_\_\_\_

  
\_\_\_\_\_  
Gary Baton, Chief  
Choctaw Nation of Oklahoma

**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 meter for natural gas service for the Choctaw Nation Casino Pool expansion project in Durant, OK, located in Section 13, Township 7 South, Range 8 East, Bryan County, Oklahoma. It is described as a 10-foot wide easement, see survey for full easement description. Attached is the Service Line Agreement labeled Exhibit A, Survey map and legal description 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 (POOL 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

### 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 AS A 10' EASEMENT, 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.

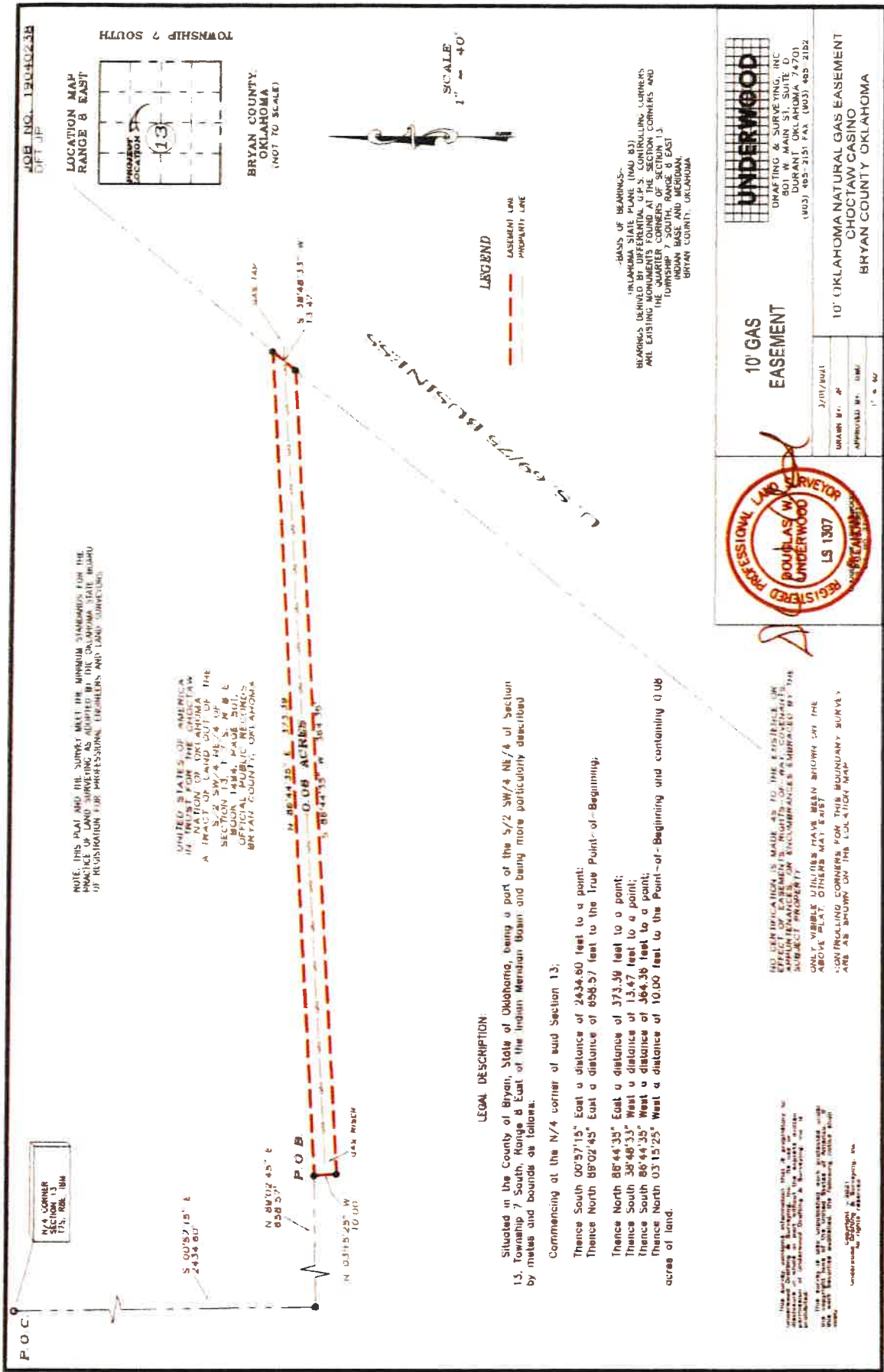
Now, therefore, it is hereby agreed that in consideration of the applicant furnishing NATURAL GAS services to the within described property, the authorized occupant hereby grants permission to applicant to construct and maintain a service line over, in, upon and across the said property without the payment 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.

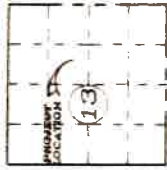


# EXHIBIT B



JOB NO. 18040231  
DRAFT

LOCATION MAP  
RANGE 8 EAST  
TOWNSHIP 7 SOUTH



BRYAN COUNTY,  
OKLAHOMA  
(NOT TO SCALE)

SCALE  
1" = 40'

LEGEND  
--- EASEMENT LINE  
--- PROPERTY LINE

-BASIS OF BEARINGS-  
OKLAHOMA STATE PLANS (MAP 83)  
NEARBY (SINK HOLE) MONUMENTS FOUND AT THE QUARTER CORNERS AND  
THE QUARTER CORNERS OF SECTION 13  
TOWNSHIP 7 SOUTH, RANGE 8 EAST  
BRYAN COUNTY, OKLAHOMA

**UNDERWOOD**  
DRAFTING & SURVEYING, INC.  
1000 N. W. 10TH ST.  
DURANT, OKLAHOMA 74701  
(803) 485-2151 FAX (803) 485-2152

10' GAS  
EASEMENT



DATE: 3/17/2021  
DRAWN BY: [Signature]  
APPROVED BY: [Signature]

NOTE: THIS PLAT AND THE SURVEY HEREON ARE MADE FOR THE PURPOSES OF RECORDING AND THE PRACTICE OF LAND SURVEYING AS AUTHORIZED BY THE STATUTES OF OKLAHOMA AND THE REQUIREMENTS OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

UNITED STATES OF AMERICA  
IN THE COUNTY OF BRYAN, STATE OF OKLAHOMA  
A TRACT OF LAND OUT OF THE  
SECTION 13, SW 1/4, NE 1/4 OF THE  
MOON TANK, RANGE 8 EAST,  
TOWNSHIP 7 SOUTH, BRYAN COUNTY,  
OFFICIAL PUBLIC RECORDS,  
BRYAN COUNTY, OKLAHOMA

N 86°17'33" E 103.18  
0.08 ACRES  
86°44'35" E 103.10  
N 03°15'25" W 10.00  
JAX WISEN  
P.O.B.

### LEGAL DESCRIPTION

Situated in the County of Bryan, State of Oklahoma, being a part of the 1/2 SW 1/4 NE 1/4 of Section 13, Township 7 South, Range 8 East of the Indian Meridian town and being more particularly described by metes and bounds as follows:

Commencing at the N 1/4 corner of said Section 13;

Thence South 00°57'15" East a distance of 2434.80 feet to a point;

Thence North 89°02'45" East a distance of 898.57 feet to the True Point-of-Beginning;

Thence North 86°44'35" East a distance of 373.36 feet to a point;

Thence South 38°48'33" West a distance of 13.47 feet to a point;

Thence South 86°44'35" West a distance of 384.38 feet to a point;

Thence North 03°15'25" West a distance of 10.00 feet to the Point-of-Beginning and containing 0.08 acres of land.

NO REPRESENTATION IS MADE AS TO THE EXISTENCE OR EFFECT OF EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESTRICTIONS OR ENCUMBRANCES SUPERSEDED BY THE ORIGINAL PLAT.

ANY VISIBLE DISTURBANCES HAVE BEEN NOTED ON THE ABOVE PLAT, OTHER THAN THAT SHOWN.

NO INCLUDING CORNERS FOR THIS BOUNDARY SURVEY, AND NO CORNERS ON THIS SECTION MAP.

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. and is intended for use only in connection with the project described herein. It is not to be used for any other purpose without the written consent of Underwood Drafting & Surveying, Inc.

This survey is not intended to be used for any other purpose without the written consent of Underwood Drafting & Surveying, Inc.

UNDERWOOD DRAFTING & SURVEYING, INC.  
1000 N. W. 10TH ST.  
DURANT, OKLAHOMA 74701  
(803) 485-2151 FAX (803) 485-2152



# EXHIBIT C

## Regulatory Land Base



0.6mi