

TO APPROVE AN AMENDMENT TO 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)

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION
RONALD PERRY INTRODUCED THE FOLLOWING BILL

A COUNCIL BILL

TO APPROVE an amendment to 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 (the "Council") shall make decisions pertaining to the acquisition, leasing, disposition, and management of tribal property;

WHEREAS, on April 10, 2021, the Council passed CB-51-20, a bill approving a Service Line Agreement, in favor of Oklahoma Natural Gas Company, to provide a meter for natural gas service for the Choctaw Nation Casino pool expansion project in Durant, Oklahoma. See Exhibit C;

WHEREAS, the original survey, dated March 1, 2021, states the 10' gas easement will cover an area described as 0.08 acres. See Exhibit E;

WHEREAS, Oklahoma Natural Gas Company now proposes to amend the location of the service line agreement and the 10-foot wide easement now cover 0.086 acres. See Exhibit B; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Choctaw Nation of Oklahoma to approve the amendment to the Service Line Agreement in favor of Oklahoma Natural Gas Company pursuant to Exhibit A.

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

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.

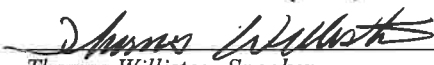
TO APPROVE AN AMENDMENT TO A SERVICE LINE AGREEMENT, IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, ON LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW NATION OF OKLAHOMA IN BRYAN COUNTY, OKLAHOMA (POOL METER)

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 twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma, on June 12, 2021. I further certify that the foregoing Council Bill CB- 71 -21 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.



Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council

Date: 6.16.21



Gary Batton, Chief
Choctaw Nation of Oklahoma

Purpose of Council Bill: To approve an amendment to a service line agreement, in favor of Oklahoma Natural Gas Company, a division of ONE Gas, Inc., to change the location of the gas service line easement. It is on land held by the USA in Trust for the Choctaw Nation of Oklahoma in Bryan County, OK. Attached is the revised Service Line Agreement labeled Exhibit A, new Survey map and legal description labeled Exhibit B, Council Bill No. CB-51-20 labeled Exhibit C, original Service Line Agreement labeled Exhibit D, and original Survey map and legal description labeled Exhibit E.

Title of Council Bill: TO APPROVE AN AMENDMENT TO 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 purpose to construct, maintain, operate, transmit, distribute, repair and replace a service line in order to provide NATURAL GAS service to THE 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 S/2 SW/4 NE/4 OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 8 EAST OF THE INDIAN MERIDIAN BASIN AND 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 the 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.

Each person signing this Service Line Agreement represents and warrants that he or she is duly authorized to execute and deliver this Service Line Agreement. Each party represents and warrants to the other that the execution and delivery of this Service Line Agreement and the performance of such party's obligations hereunder have been duly authorized and that the Service Line Agreement is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

Oklahoma Natural Gas Company, a division of ONE Gas, Inc.

By: _____

Date: _____

Printed Name: _____

USA in Trust for the CHOCTAW NATION

By: _____
Gary Batton, Chief

Date: _____

ACKNOWLEDGEMENT

State of OKLAHOMA

§

County of

Subscribed and sworn to before me this _____ day of _____, 20____, by Chief Gary Batton, Choctaw Nation of Oklahoma.

Signature of Notary Public

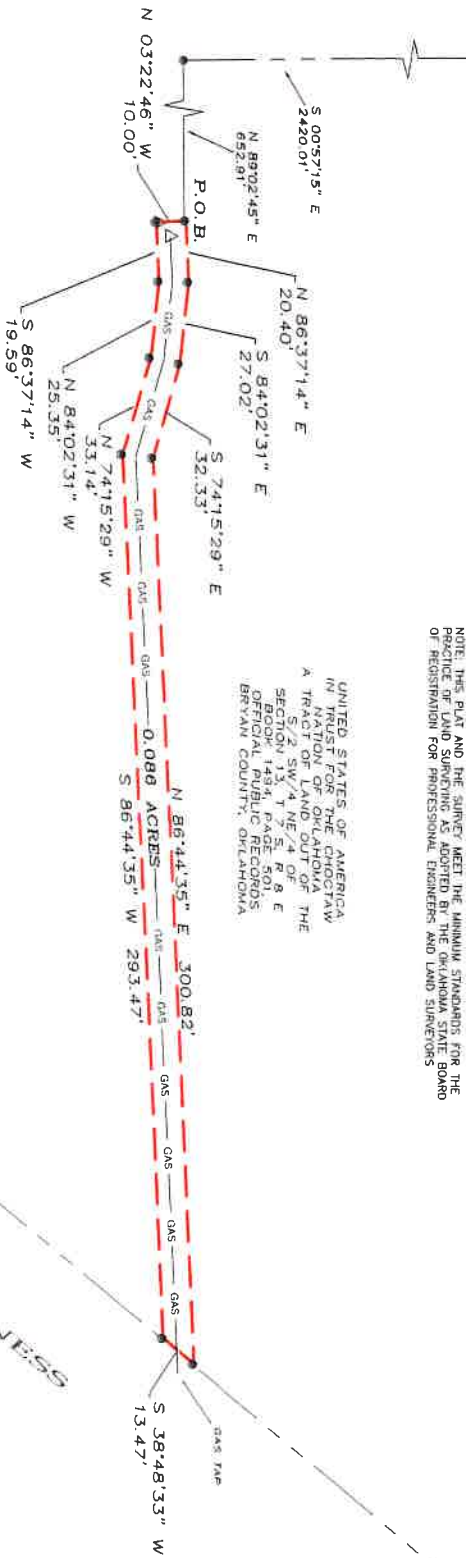
My commission expires _____

Filed with the Regional Director, _____ Regional Office on _____, 20____.

EXHIBIT B

N/4 CORNER
SECTION 13
7S, 10E, 8M

P.O.C.



UNITED STATES OF AMERICA
IN TRUST FOR THE CHOCTAW
NATION AND OKLAHOMA
A TRUSTEED LAND IN THE
SECTION 13, T7S, R8E
OF BOOK 1484, PAGE 501
OF PUBLIC RECORDS
BRYAN COUNTY, OKLAHOMA

NOTE: THIS PLAN AND THE SURVEY MEET THE MINIMUM STANDARDS FOR THE
PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD
OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

LEGAL DESCRIPTION:

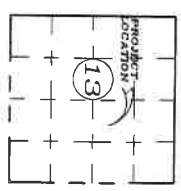
13. Township 7 South, Range 8 East of the Indian Meridian Basin and being more particularly described by metes and bounds as follows:

Commencing at the N/4 corner of said Section 13:

- Thence South 00°57'15" East a distance of 2420.01 feet to a point;
- Thence North 89°02'45" East a distance of 652.91 feet to the True Point-of-Beginning;
- Thence North 86°37'14" East a distance of 20.40 feet to a point;
- Thence South 84°02'31" East a distance of 27.02 feet to a point;
- Thence North 74°15'29" East a distance of 32.33 feet to a point;
- Thence North 86°44'35" East a distance of 300.82 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 293.47 feet to a point;
- Thence North 74°15'29" West a distance of 33.14 feet to a point;
- Thence North 84°02'31" West a distance of 25.35 feet to a point;
- Thence North 86°37'14" West a distance of 19.59 feet to a point;
- Thence North 03°22'46" West a distance of 10.00 feet to the Point-of-Beginning and containing 0.086 acres of land.

U. S. 69/75 BUSINESS

BRYAN COUNTY,
OKLAHOMA
(NOT TO SCALE)



JOB NO. 19040238
DFT:JJP



SCALE:
1" = 40'

--BASIS OF BEARINGS--
OKLAHOMA STATE PLANE (NAD 83)
BEARINGS DERIVED BY DIFFERENTIAL G.P.S. CONTROLLING CORNERS
ARE EXISTING QUARTER CORNERS OF SECTION 13,
TOWNSHIP 7 SOUTH, RANGE 8 EAST
INDIAN BASE AND MERIDIAN,
BRYAN COUNTY, OKLAHOMA

NO DEEPENING IS MADE AS TO THE EXISTENCE OR
EFFECTIVENESS OF ANY EASEMENTS,
APPROPRIATIONS, OR ENCUMBRANCES EMPASSED BY THE
SUBJECT PROPERTY.
ONLY VISIBLE UTILITIES HAVE BEEN SHOWN ON THE
ABOVE PLAN. OTHERS MAY EXIST.
CONTROLLING CORNERS FOR THIS BOUNDARY SURVEY
ARE AS SHOWN ON THE LOCATION MAP



10' GAS
EASEMENT

10' OKLAHOMA NATURAL GAS EASEMENT
CHOCTAW CASINO
BRYAN COUNTY, OKLAHOMA

DRAWN BY: JP
APPROVED BY: DMW
5/29/2021
1" = 40'

UNDERWOOD
DRAFTING & SURVEYING, LLC
901 W. MAIN ST., SUITE 10
DURANT, OKLAHOMA 74001
(803) 465-2151 FAX: (803) 465-2152

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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)

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 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 Batton, 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 D

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.

Oklahoma Natural Gas Company, a division of ONE Gas, Inc.

By: 
Printed Name: Jeff Johns



Date: 3/22/2021

USA in Trust for the CHOCTAW NATION

By: 
Gary Batton, Chief

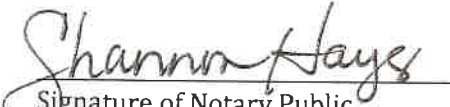
Date: 4-14-2021

ACKNOWLEDGEMENT

State of OKLAHOMA

County of: Bryan^s

Subscribed and sworn to before me this 14th day of April, 20 21, by Gary Batton, Chief, on behalf of the Choctaw Nation of Oklahoma.


Signature of Notary Public

My commission expires May 1, 20 21.



Filed with the Regional Director, _____ Regional Office on _____, 20__.

EXHIBIT E

DocuSign Envelope ID: 12A10019-235F-487A-AS48-A516FA4CA38D

