

TO AUTHORIZE THE CHIEF OF THE CHOCTAW NATION TO PLACE PROPERTY IN LEFLORE 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 "Nation"), 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 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 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 0.70 acres of real property located at 302 Choctaw Street, Talihina, LeFlore 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 it is in the best interest of the Nation to place land into trust to increase the tribal land base to accommodate increases 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 at 302 Church Street, Talihina, LeFlore County, Oklahoma. The property is currently owned by the Nation and the property will be used to facilitate self-determination and provide governmental services to Tribal citizens. The property is currently improved with an office building, a shop/storage metal building, a storage container, and a temporary storage building. This acquisition will provide easier access to government and judicial services. The Nation plans to continue utilizing the property for the same purposes;

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;

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

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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:

Lots 4, 5, 6 and the east 10 feet of Lot 7, Block 51, Incorporated Town of Talihina, LeFlore County, State of Oklahoma.

ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:

A parcel of land situated in the original Town of Talihina, Oklahoma, according to the recorded plat thereof, being all that part of that parcel of land described in Book 2019, page 555, filed November 13, 2017 in the Office of the LeFlore County Clerk, being more particularly described by metes and bounds with a true base bearing being South 43°50'10" East, along the northeasterly line of Block 51 in the original Town of Talihina, Oklahoma, according to the recorded plat thereof, more particularly described as follows:

BEGINNING at the most northerly corner lot 4, block 51 in the original Town of Talihina, Oklahoma, according to the recorded plat thereof, marked with a mag nail and 1.5" diameter aluminum washer, marked D Page JR PLS 1566;

Thence, South 43°50'10" East, along the most northerly line of block 51 in the original Town of Talihina, identical with the southerly right-of-way line of an unnamed street in the original Town of Talihina, according to the recorded plat thereof, a distance of 157.90 feet to the most southeasterly corner of lot 4, block 51 in the original Town of Talihina, Oklahoma, according to the recorded plat thereof, identical with the most southeasterly corner of that parcel of land described in Book 2019, page 555, filed November 13, 2017 in the Office of the LeFlore County Clerk, marked with a 1/2 inch diameter steel pin with cap marked D Page JR PLS 1566;

Thence, South 49°39'37" West, along the southeasterly line of lots 4, 5, 6 and 7, block 51 in the original Town of Talihina, Oklahoma, according to the recorded plat thereof, identical with the southeasterly line of that parcel of land described in Book 2019, page 555, filed November 13, 2017 in the Office of the LeFlore County Clerk, a distance of 191.73 feet to the most southwesterly corner of that parcel of land described in Book 2019, page 555, filed November 13, 2017 in the Office of the LeFlore County Clerk, identical with the most southeasterly corner of that parcel of land described in Book 2019, page 554, filed November 13, 2017 in the Office of the LeFlore County Clerk, marked with a 5/8 inch diameter steel pin with no identification cap;

Thence, North 44°04'25" West, along the southwesterly line of that parcel of land described in Book 2019, page 555, filed November 13, 2017 in the Office of the LeFlore County Clerk, identical with the most northeasterly line of that parcel of land described in Book 2019, page 554, filed November 13, 2017 in the Office of the LeFlore County Clerk, a distance of 157.86 feet to the most northwesterly corner of that parcel of land described in Book 2019, page 555, filed November 13, 2017 in the Office of the LeFlore County Clerk, identical with the most northeasterly corner of that parcel of land described in Book 2019, page 554, filed November 13, 2017 in the Office of the LeFlore County Clerk, marked with a mag nail and 1.5" diameter aluminum washer, marked D Page JR PLS 1566;

Thence, North 49°38'05" East, along the northwesterly line of lots 4, 5, 6 and 7, block 51 in the original Town of Talihina, Oklahoma, according to the recorded plat thereof, identical with the northwesterly line of that parcel of land described in Book 2019, Page 555, filed November 13, 2017 in the Office of the LeFlore County Clerk, a distance of 192.38 feet to a mag nail and 1.5" diameter aluminum washer, marked D Page JR PLS 1566; being the POINT OF BEGINNING, containing 0.70 acres of land.

BASIS OF BEARINGS: South 43°50'10" East, along the northeasterly line of block 51 in the original Town of Talihina, Oklahoma, according to the recorded plat thereof, by R.T.K G.P.S. observation, referenced to the true meridian. The aforesaid parcel of land described by David L. Page JR PLS 156, on March 3, 2021.

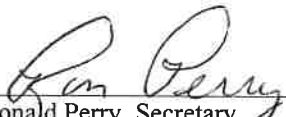
EXCEPT all oil, gas and other minerals lying in and under said property.

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 approval of its current improvements, which include an office building, a shop/storage metal building, a storage container, and a temporary storage building. The Nation plans to continue utilizing the property for the same purposes.

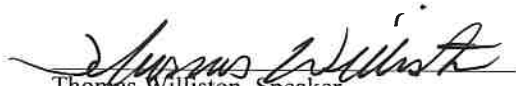
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CERTIFICATION

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 July 10, 2021. I further certify that the foregoing Council Bill CB- 76 -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



Gary Battor, Chief
The Choctaw Nation of Oklahoma

Date: 7-13-21

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Purpose/Need of Council Bill: This bill proposes to place 0.70 acres of real property located at 302 Church Street, Talihina, LeFlore County, Oklahoma in to trust. See Exhibit A. The property is currently owned by the Nation and the property will be used to facilitate self-determination and provide governmental service to Tribal citizens. The property is currently improved with an office building, a shop/storage metal building, a storage container, and a temporary storage building. This acquisition will increase the tribal land holdings and provide easier access government and judicial services. The Nation plans to continue utilizing the property for the same purposes.

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

Agency: Choctaw Nation - Land and Title

Budget: N/A

Match Required: N/A

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