

**TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN COAL COUNTY IN TRUST STATUS WITH  
THE UNITED STATES OF AMERICA**

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

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

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**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 1.65 acres of real property located at 103 East California Avenue, Coalgate, Coal 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 at 103 East California Avenue, Coalgate, Coal County, Oklahoma. 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 a community center, wellness center and playground, administrative office, storm shelter, parking lot, and three temporary storage buildings. The acquisition will provide easier access to community gatherings for Tribal citizens, a wellness center and playground to help improve the quality of life of tribal members and administrative offices to carry out governmental services to support the Nation's program. A storm shelter to provide life-saving protection during emergency situation. 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; 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 Coal 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:

Lot 1, Block 135, City of Coalgate, filed in Book 581, page 304, Coal County, Oklahoma.

Lot 2, Block 135, City of Coalgate, filed in Book 686, page 180, Coal County, Oklahoma.

Lot 3, Block 135, City of Coalgate, filed in Book 741, page 742, Coal County, Oklahoma.

Lot 5, West 33.5 feet of Lot 4, East 75 feet of Lot 4, Block 135, City of Coalgate, filed in Book 551, page 575, Coal County Oklahoma.

Lots 6 and 7, Block 135, City of Coalgate, filed in Book 509, page 556, Coal County, Oklahoma.

And,

The 20 foot wide Alley in Block 135, City of Coalgate, Coal County, Oklahoma, according to the recorded plat thereof and being more particularly described in Decree, filed in Book 907, page 671-679.

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

***ALSO KNOWN BY SURVEYED LEGAL DESCRIPTION AS FOLLOWS:***

Lots 1, 2, 3, Block 135, City of Coalgate, Coal County, State of Oklahoma, being more particularly described as follows: **BEGINNING** at the northeast corner of said Block 135, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, South 14° 04' 25" West, along the east line of said Block 135, a distance of 216.68 feet to the southeast corner thereof, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, North 69° 56' 15" West, along the south line of said Block 135, a distance of 140.80 feet to the southwest corner of Lot 3 of said Block 135, said corner marked with a found 1/2 inch diameter iron rod with cap marked "Curtis"; **THENCE**, North 14° 04' 25" East, along the west line of Lots 1 thru 3, a distance of 216.68 feet to the northwest corner of said Lot 1, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, South 69° 56' 15" East, along the north line of said Lot 1, a distance of 140.80 feet to the TRUE POINT OF BEGINNING, containing **0.70 acres** of land.

And,

Lots 4 and 5, Block 135, City of Coalgate, Coal County, State of Oklahoma, being more particularly described as follows: **BEGINNING** at the southwest corner of said Block 135, said corner marked with a found 1/2 inch diameter iron rod with cap marked "Krohn CA6716"; **THENCE**, North 20° 08' 55" East, along the west line of said Block 135, a distance of 97.70 feet to the northwest corner of said Lot 5, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robbie L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, South 69° 56' 15" East, along the north line of said Lots 4 and 5, a distance of 173.83 feet to the northeast corner of said Lot 4, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, SOUTH 14° 04' 25" West, along the east line of said Lot 4, a distance of 98.24 feet to the southeast corner thereof, said corner marked with a found 1/2 inch diameter iron rod; **THENCE**, North 69° 56' 15" West, along the south line of said Block 135, a distance of 184.22 feet to the TRUE POINT OF BEGINNING, containing 0.40 acres of land.

And,

Lots 6 and 7, Block 135, City of Coalgate, Coal County, State of Oklahoma, being more particularly described as follows: **BEGINNING** at the northwest corner of said Block 135, said corner marked with a found mag nail with shiner marked "Krohn CA 6716"; **THENCE**, South 69°56'15" East, along the north line of said Block 135, a distance of 161.29 feet to the northeast corner of said Lot 7, said corner marked with a found 1/2 inch diameter iron rod;

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**THENCE**, South 14° 04' 25" West, along the east line of said Lot 7, a distance of 98.34 feet to the southeast corner of thereof, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, North 69° 56' 15" West, along the south line of said Lots 6 and 7, a distance of 171.70 feet to the southwest corner of said Lot 6, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, North 20° 08' 55" East, along the west line of said Block 135, a distance of 97.80 feet to the TRUE POINT OF BEGINNING, containing 0.37 acres of land.

And,

The 20 foot wide Alley in Block 135, City of Coalgate, Coal County, Oklahoma, according to the recorded plat thereof and being more particularly described: **BEGINNING** at the northwest corner of Lot 1, Block 135, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, South 14° 04' 25" West, along the west line of Lots 1 thru 3, a distance of 216.68 feet to a found 1/2 inch diameter iron rod with cap marked "Curtis" at the southwest corner of Lot 3, Block 135; **THENCE**, North 69° 56' 15" West, a distance of 20.11 feet to a found 1/2 inch diameter iron rod at the southeast corner of Lot 4, Block 135; **THENCE**, North 14° 04' 25" East, along the east line of said Lot 4, a distance of 98.24 feet to the northeast corner thereof, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, North 69° 56' 15" West, along the north line of Lots 4 and 5, Block 135, a distance of 173.83 feet to the northwest corner of said Lot 5, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, North 20° 08' 55" East, a distance of 20.00 feet to the southwest corner of Lot 6, Block 135, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, South 69° 56' 15" East, along the south line of Lots 6 and 7, Block 135, a distance of 171.70 feet to the southeast corner of said Lot 7, said corner marked with a set 1/2 inch diameter iron rod with aluminum cap marked Robby L. Johnson, OK RPLS 1539 CFEDS 1102; **THENCE**, North 14° 04' 25" East, along the east line of said Lot 7, a distance of 98.34 feet to a found 1/2 inch diameter iron rod at the northeast corner of said Lot 7; **THENCE**, South 69° 56' 15" East, a distance of 20.11 feet to the TRUE POINT OF BEGINNING, containing 0.18 acres of land.

The areas described aggregate **1.65 acres**.

**BASIS OF BEARINGS:** derived from Global Positioning Systems (GPS), NAD83 (2011) EPOCH date 2010, referenced to the true meridian.

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

**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 is a tribal community center, wellness center and playground, administrative office, storm shelter, parking lot, and three temporary storage buildings. The Nation plans to continue utilizing the property for the same purposes.

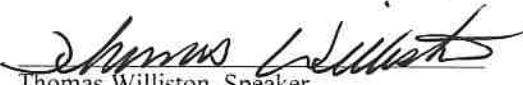
**CERTIFICATION**

*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 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-77 -21 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes and zero (0) abstaining.*

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\_\_\_\_\_  
Ronald Perry, Secretary  
Choctaw Nation Tribal Council

Date: 7-13-21

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

  
\_\_\_\_\_  
Gary Batton, Chief  
The Choctaw Nation of Oklahoma

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**Purpose/Need of Council Bill:** This bill proposes to place 1.65 acres of real property located at 103 E. California Ave., Coalgate, Coal 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 a community center, wellness center and playground, administrative office, storm shelter, parking lot, and three temporary storage buildings. The acquisition will provide easier access to community gatherings for Tribal citizens, a wellness center and playground to help improve the quality of life of tribal members and administrative offices to carry out governmental services to support the Nation's program. A storm shelter to provide life-saving protection during emergency situation. The Nation plans to continue utilizing the property for the same purposes.

**Title of Council Bill:** TO AUTHORIZE THE CHIEF TO PLACE PROPERTY IN COAL 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

EXHIBIT A

