

**TO APPROVE AN AMENDMENT TO THE TOWER AND GROUND SPACE LEASE-BUSINESS LEASE NO. 4200028664 (G09-1889), BETWEEN THE CHOCTAW NATION AND UNITED STATES CELLULAR OPERATING COMPANY OF GREATER OKLAHOMA, LLC**

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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** an amendment to the Water Tower and Ground Space Lease-Business Lease No. 4200028664 (G09-1889), between the Choctaw Nation and United States Cellular Operating Company of Greater Oklahoma, LLC.

**WHEREAS** in accordance with Article VII, Section 1 of the Constitution of the Choctaw Nation of Oklahoma (the "Nation"), 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** a water and ground space lease was approved in favor of United States Cellular Operating Company of Greater Oklahoma, LLC ("USCOC") on October 18, 2016 in CB-15-17 (the "Original Lease"). The Original Lease allowed for the placement of cellular common carrier mobile radio base station operations, including related telecommunications functions, on tribal land. See CB-15-17;

**WHEREAS** the Original Lease allowed for attachment locations on the water tower and for placement of radio station equipment shelter on land adjacent to the water tower at the Capitol Grounds in Tuskahoma, Oklahoma;

**WHEREAS** USCOC now proposes an amendment to the Original Lease. This amendment, entitled "First Amendment to Tower and Ground Space Lease" modifies the Original Lease by replacing Exhibit B in the Original Lease with Exhibit B-1. Exhibit B-1 updates the equipment allowed under the Original Lease.

**WHEREAS** all other terms of the Original Lease approved in CB-15-17 shall remain the same; and

**WHEREAS** the Tribal Council has determined it is in the best interest of the Nation to approve the amendment entitled "First Amendment to Tower and Ground Space" amending the Tower and Ground Space Lease-Business Lease No. 4200028664 (G09-1889).

**THEREFORE BE IT ENACTED** by the Tribal Council that this Bill be cited as approval to amend the Tower and Ground Space Lease approved by Tribal Council in CB-15-17 on October 18, 2016, and executed on February 21, 2017 (the "Original Lease").


**BE IT FUTHER ENACTED** by the Tribal Council that this bill be cited as approval of the proposed amendment of the Original Lease entitled "First Amendment To Tower And Ground Lease." This amendment shall replace Exhibit B of the Original Lease with Exhibit B-1. See Exhibit A. No other terms of the Original Lease shall be amended.


**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.

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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 September 10, 2022. I further certify that the foregoing Council Bill CB- 157 -22 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

  
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Thomas Williston, Speaker  
Choctaw Nation Tribal Council

Date: 9-13-22

  
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Gary Patton, Chief  
Choctaw Nation of Oklahoma

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**Purpose of Council Bill:** This bill approves an amendment to the Tower and Ground Space Lease between the Choctaw Nation and United States Cellular Operating Company (USCOC). The Original Lease was approved by Tribal Council on October 18, 2016 and the lease was executed on February 21, 2017. The Original Lease allowed for the use of the water tower and adjacent land at the Capitol Grounds in Tuskahoma, Oklahoma. The Original Lease allowed the placement of cellular base station operations, including related telecommunications functions on the water tower and the locations of radio station equipment shelter in land adjacent to the water tower. The amendment replaces Exhibit B in CB-15-17 with Exhibit B-1 and allows for an equipment update. No other terms of the Original Lease will be altered.

**Title of Council Bill: TO APPROVE AN AMENDMENT TO THE TOWER AND GROUND SPACE LEASE-BUSINESS LEASE NO. 4200028664 (G09-1889), BETWEEN THE CHOCTAW NATION AND UNITED STATES CELLULAR OPERATING COMPANY OF GREATER OKLAHOMA, LLC**

**Grantee:** USCOC of Greater Oklahoma, LLC

**Duration:** Original Lease-10 years with an option to renew.

**Payment:** Original Lease-\$400

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