

TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF OKLAHOMA GAS AND ELECTRIC COMPANY, ON CHOCTAW NATION FEE LAND IN BRYAN COUNTY, OKLAHOMA

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE an Electric Line Easement, in favor of Oklahoma Gas and Electric Company, on Choctaw Nation Fee land in Bryan County, Oklahoma.

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, Oklahoma Gas and Electric Company ("OG&E") is proposing to install and provide electric service for the new Durant water tower on Choctaw Nation fee land located in part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 7 South, Range 9 East, Bryan County, OK. Please see attached Survey Plat and Easement Description labeled Exhibit A;

WHEREAS, the payment will be \$0.00 because the service is being installed at the request of and for the benefit of the Nation;

WHEREAS, the easement shall be for a perpetual term so long as it is used for its intended purpose; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Nation to grant this easement in favor of OG&E in order to provide electrical services for the Nation and its Members.

THEREFORE BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval of the proposed electric line easement for a perpetual term, described as being in Section 7, Township 7 South, Range 9 East, Bryan County, OK, in favor of Oklahoma Gas and Electric Company, on Choctaw Nation fee land. See Exhibit B.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited for approval of the payment of \$0.00 and for a perpetual term so long as it is used for its intended purpose.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma 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.

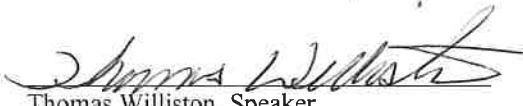
TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF OKLAHOMA GAS AND ELECTRIC COMPANY, ON CHOCTAW NATION FEE LAND IN BRYAN COUNTY, OKLAHOMA

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 December 10, 2022. I further certify that the foregoing Council Bill CB- 28 -23 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 Patton, Chief
Choctaw Nation of Oklahoma

Date 12-13-22

TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF OKLAHOMA GAS AND ELECTRIC COMPANY, ON CHOCTAW NATION FEE LAND IN BRYAN COUNTY, OKLAHOMA

Purpose of Council Bill: To approve an electric line easement, in favor of Oklahoma Gas and Electric Company, on Choctaw Nation fee land located in part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 7 South, Range 9 East, Bryan County, OK (new Durant water tower). Please see attached Survey Plat and easement description labeled Exhibit A, Easement labeled Exhibit B, and location map labeled Exhibit C.

Title of Council Bill: TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF OKLAHOMA GAS AND ELECTRIC COMPANY, ON CHOCTAW NATION FEE LAND IN BRYAN COUNTY, OKLAHOMA

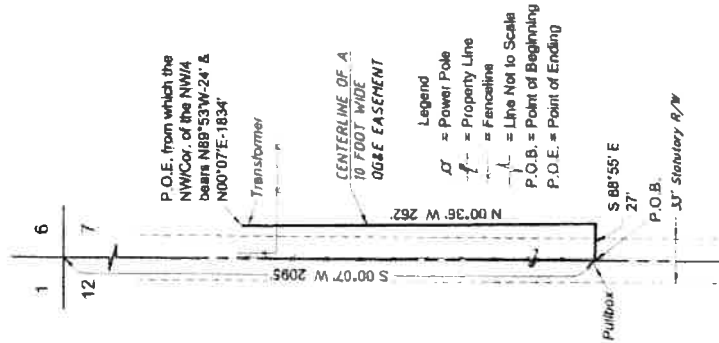
Grantee: Oklahoma Gas and Electric Company

Duration: Perpetual

Payment: \$0.00 (service is being installed at the request of and for the benefit of the Choctaw Nation of Oklahoma)

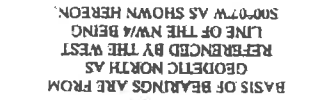
Request by Project Director: Traci Umsted, Senior Director of Land & Title, Kelly McKaughan, Senior Executive Officer

10 FOOT WIDE OG&E EASEMENT
IN A PART OF THE W/2 SW/4 NW/4
SECTION 7, T7S-R9E, I.M.,
BRYAN COUNTY, OKLAHOMA

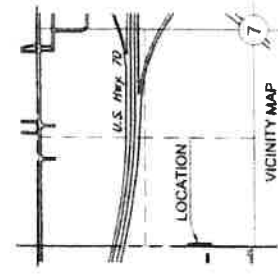


EASEMENT SKETCH

SECTION 7
T7S-R9E



SCALE 1" = 100'



①
PT. W/2 SW/4 NW/4 SEC. 7,
T7S-R9E, BRYAN CO., OK
BOOK 1396, PAGE 33
CHOCTAW NATION OF
OKLAHOMA
TOTAL LENGTH=
289' OR 17.52 RODS

EXHIBIT "A"

CENTERLINE DESCRIPTION OF A 10 FOOT WIDE OG&E EASEMENT IN A PART OF THE W/2 SW/4 NW/4 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 9 EAST, INDIAN MERIDIAN, BRYAN COUNTY, OKLAHOMA:

COMMENCING at the Northwest corner of the NW/4; Thence S00°07'W, along the West line of the NW/4, 2095 feet to the POINT OF BEGINNING, said point being a Property line; Thence S88°55'E, 27 feet; Thence N00°36'W, 262 feet to the POINT OF ENDING from which the Northwest corner of the NW/4 bears N89°53'W, perpendicular to the West line of the NW/4, 24 feet and N00°07'E, along the West line of the NW/4, 1834 feet. Basis of Bearings are Geodetic North. Said being described by Jared A. Wiley L.P.L.S. No. 1820 on 10-25-22

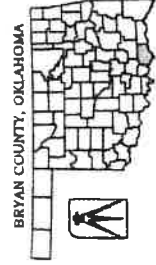
TOTAL LENGTH= 289' OR 17.52 RODS

SURVEYOR'S CERTIFICATE

I, Jared A. Wiley, Licensed Professional Land Surveyor, hereby state this exhibit meets or exceeds the Oklahoma Minimum Technical Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors. This plat depicts an accurate representation of the easement description, as shown hereon, it is not a Land or Boundary Survey



Jared A. Wiley
1010 Northwest Blvd
Ardmore, OK 73401
Phone (580) 226-5108
Fax (888) 662-7778
10-31-2022



OKLAHOMA GAS AND ELECTRIC COMPANY	
Bennett-Morris And Associates Land Surveying, P.C. ARDMORE, OKLAHOMA Surveying, P.C. - C.A. No. 5975 (LS)	OG&E EASEMENT SKETCH W.O. #7711908 Choctaw Water Tower Durant
DRAWN BY: RLK	FILE #: 224229 DATE: 10-25-22
APPROVED BY: Jared A. Wiley	DRWG #: 224229A.DWG DATE: 10-25-22
	SCALE: 1in = 100ft
	SHEET 1 OF 1

EXHIBIT B

RETURN TO:
Land Management Coordinator
OGE Electric Services
2214 West Broadway
Ardmore, OK 73401

EASEMENT

Work Order # 7711908

KNOW ALL MEN BY THESE PRESENTS: THAT CHOCTAW NATION OF OKLAHOMA, Grantor, in consideration of Ten or more dollars in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant and warrant unto OKLAHOMA GAS AND ELECTRIC COMPANY, an Oklahoma corporation, Grantee, its successors and assigns, the right, privilege and authority to enter upon and install, erect, operate, maintain, and reconstruct underground and/or above ground a system of conduits, wires, cables, vaults, junction boxes, switches, fuses, transformers, service connection boxes and other fixtures for the transmission and distribution of electrical current and communication messages, including the right of ingress and egress to and from said system across adjoining lands of Grantor, upon and across the following real property and premises, situated in BRYAN County, State of Oklahoma, to wit:

A part of the W/2 SW/4 NW/4, Section 7, T7S, R9E, L.M., Bryan County, Oklahoma, being a part of a tract described in a deed recorded in Book 1398, Pages 33 thru 36 at the County Clerk, as shown and described on Exhibit "A", attached hereto and made a part of this easement according to the recorded plat thereof.

Grantor further covenants and agrees that no building or other structure shall ever be erected nor shall any excavation or other removal of soil, so as to change the grade of terrain, be accomplished by Grantor, its heirs or assigns, within the above described easement area unless the written consent of the Grantee is first obtained. Grantor further acknowledges the requirements of 63 Oklahoma Statutes (2011) Section 142.1. et. seq. (One-call statute).

The rights and privileges above granted to continue so long as same are used or needed for the transmission and distribution of electric current or communication messages; but should the Grantee remove its property from the premises and abandon the right of way herein granted, then the rights granted in this easement shall terminate.

Signed and delivered this _____ day of _____ 2022.

CHOCTAW NATION OF OKLAHOMA

Gary Batton, Chief of the Choctaw Nation of Oklahoma

ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF _____, SS:
Before me, the undersigned, a Notary Public, in and for said County and State, on this _____ day of _____ 2022, personally appeared Gary Batton, Chief of the Choctaw Nation of Oklahoma to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Chief, and acknowledged to me that he executed the same as his free and voluntary act and deed of such entity, for the uses and purposes therein set forth.

My Commission Expires: _____

Commission # _____

Notary Public

EXHIBIT B

RETURN TO:
Land Management Coordinator
OGE Electric Services
2214 West Broadway
Ardmore, OK 73401

EASEMENT

Work Order # 7711968

KNOW ALL MEN BY THESE PRESENTS: THAT CHOCTAW NATION OF OKLAHOMA, Grantor, in consideration of Ten or more dollars in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant and warrant unto OKLAHOMA GAS AND ELECTRIC COMPANY, an Oklahoma corporation, Grantee, its successors and assigns, the right, privilege and authority to enter upon and install, erect, operate, maintain, and reconstruct underground and/or above ground a system of conduits, wires, cables, vaults, junction boxes, switches, fuses, transformers, service connection boxes and other fixtures for the transmission and distribution of electrical current and communication messages, including the right of ingress and egress to and from said system across adjoining lands of Grantor, upon and across the following real property and premises, situated in BRYAN County, State of Oklahoma, to wit:

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Signed and delivered this _____ day of _____ 2022.

CHOCTAW NATION OF OKLAHOMA

Gary Batton, Chief of the Choctaw Nation of Oklahoma

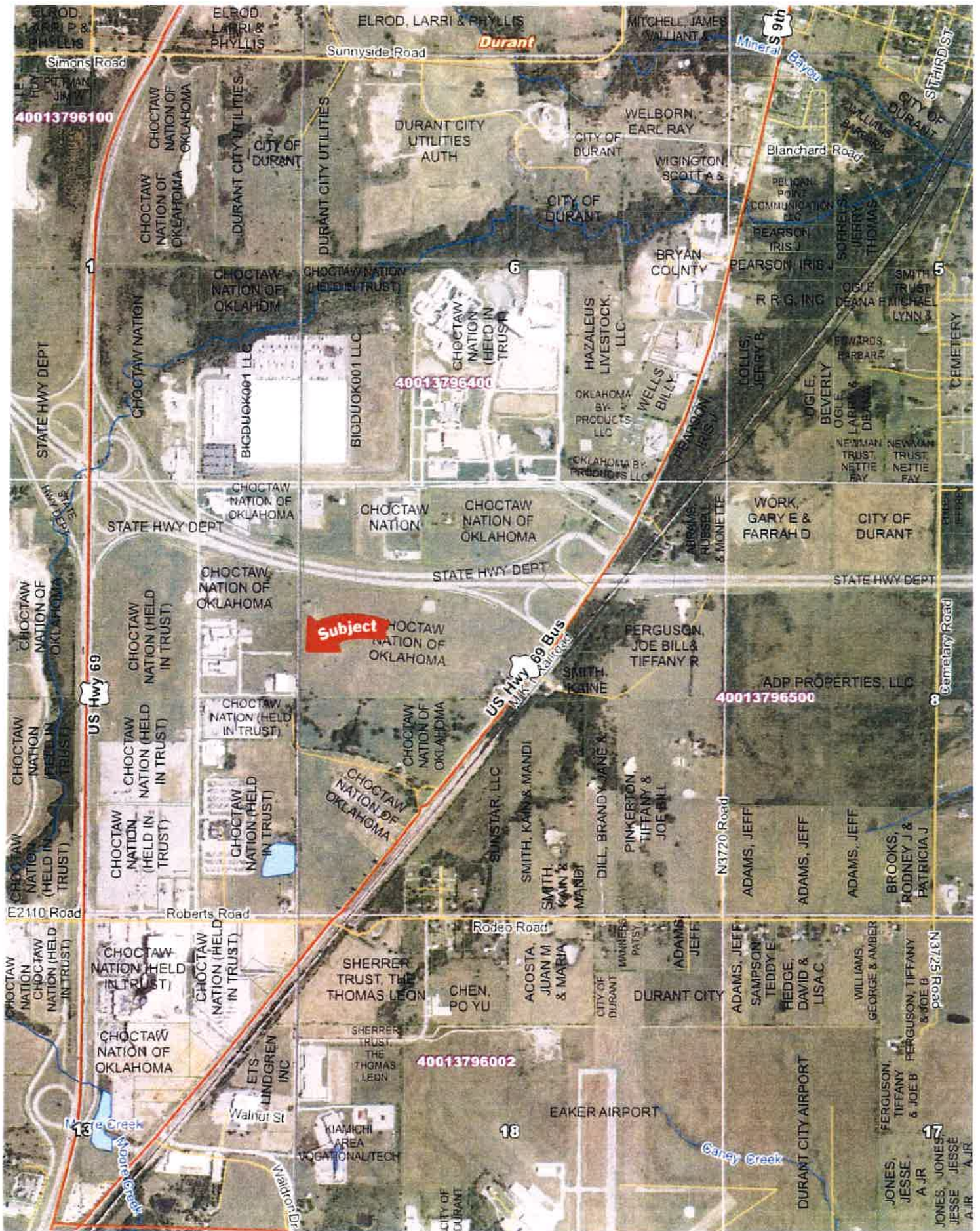
ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF _____, SS:
Before me, the undersigned, a Notary Public, in and for said County and State, on this _____ day of _____ 2022, personally appeared Gary Batton, Chief of the Choctaw Nation of Oklahoma to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Chief, and acknowledged to me that he executed the same as his free and voluntary act and deed of such entity, for the uses and purposes therein set forth.

My Commission Expires: _____

Commission # _____

Notary Public



Subject

40013796100

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