

TO APPROVE THE DONATION OF WHEELOCK CHURCH TO THE CHOCTAW NATION OF OKLAHOMA

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE donation of the Wheelock Church to the Choctaw Nation of 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, Wheelock Church (“the Church”) was constructed in 1846 a few feet from the Trail of Tears route. In a place where Choctaw families came to rebuild their lives after removal from Mississippi, the Church was literally built by the hands of Trail of Tears survivors in hopes of worshipping here for future generations. It is a place where people can go to connect with the first generation of Christian Choctaws in Oklahoma. The Church remains the oldest standing church in the state of Oklahoma;

WHEREAS, the Church is adjacent to Wheelock Academy, where hundreds of girls were taught. The Church was the only place where they were allowed to hear and speak the Choctaw language. Several Academy students and Rev. Wright are buried in the nearby Wheelock Cemetery, marked with memorial stones, and surrounded by a wrought iron fence. The Wheelock Cemetery, still active, remains in the ownership of the Cemetery Association;

WHEREAS, the Wheelock Cemetery Association (“the Association”) currently owns the Church, and, realizing its importance to the Nation, offered to donate the Church to the Nation in April 2022. The Association is worried if the Nation does not take ownership, there would be no one else in line to do so and the cultural connections could be lost;

WHEREAS, the Church is located in Garvin County, Oklahoma, with legal description as follows:

A tract of land located in the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section Thirty-four (34), Township Six (6) South, Range Twenty-two (22) East of the Indian Base and Meridian, McCurtain County, Oklahoma, being more particularly described as follows:

BEGINNING at the Southwest Corner of said SW/4 NE/4; THENCE N00°02'56"W, along the West line of said SW/4 NE/4, a distance of 220.00 feet; THENCE N89°52'33"E, a distance of 485.00 feet; THENCE S00°02'56"E, a distance of 220.00 feet to a point in the South line of said SW/4 NE/4; THENCE S89°52'33"W, along said South line, a distance of 12.95 feet; THENCE N79°33'48"W, a distance of 37.84 feet; THENCE N51°40'16"W, a distance of 82.04 feet to an existing fence corner; THENCE N81°26'51"W, along an existing fence line, a distance of 20.36 feet; THENCE continuing along said fence line S88°34'58"W, a distance of 94.20 feet; THENCE continuing along said existing fence line S73°13'55"W, a distance of 205.64 feet to a point in the aforesaid South line; THENCE S89°52'33"W, along said South line, a distance of 59.28 feet to the TRUE POINT OF BEGINNING, having an area of 2.11 Acres more or less.

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WHEREAS, the Nation’s internal Land Acquisition Team has reviewed the potential transaction and Business Development and has prepared a Due Diligence Review outlining the acquisition and its potential costs to the Nation.

WHEREAS, a Donation Agreement between the Wheelock Cemetery Association and the Nation has been drafted and executed by the Wheelock Cemetery Association. See Exhibit A;

WHEREAS, Jeffrey A. Musante owns property adjacent to Wheelock Church, and in order to access his own property, requests an easement to travel across existing roads on the Wheelock Church property. The proposed easement to Jeffrey A. Musante is attached for approval as Exhibit B; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Choctaw Nation to accept donation of the Wheelock Church from the Wheelock Cemetery Association in accordance with the Donation Agreement and to grant an easement to Jeffrey A. Musante across said property.

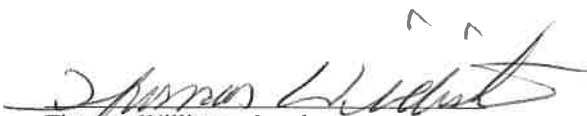
THEREFORE BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as acceptance of the donation of the Wheelock Church, in accordance with the Donation Agreement attached hereto as Exhibit B.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited for approval of the easement to Jeffrey A. Musante in accordance with the Easement attached hereto as Exhibit B.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as an acknowledgment that the Chief of the Nation, or his designee, is authorized to prepare, execute, deliver, and file any 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 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.

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 November 11, 2023. I further certify that the foregoing Council Bill CB- 10 -24 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.


Thomas Williston, Speaker
Choctaw Nation Tribal Council


Ronald Perry, Secretary
Choctaw Nation Tribal Council


Gary Batton, Chief
Choctaw Nation of Oklahoma

Date 11-16-23

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Purpose of Council Bill: To approve the donation of Wheelock Church from the Wheelock Cemetery Association to the Choctaw Nation of Oklahoma. Wheelock Church (“the Church”) was constructed in 1846 a few feet from the Trail of Tears route. In a place where Choctaw families came to rebuild their lives after removal from Mississippi, the Church was literally built by the hands of Trail of Tears survivors in hopes of worshipping here for future generations. It is a place where people can go to connect with the first generation of Christian Choctaws in Oklahoma. The Church remains the oldest standing church in the state of Oklahoma and is adjacent to Wheelock Academy, where hundreds of girls were taught. The Church was the only place where they were allowed to hear and speak the Choctaw language. This legislation will meet the Nation’s strategic goal of protecting and promoting Choctaw culture by preserving an important Choctaw landmark and piece of Choctaw history.

Title of Council Bill: **TO APPROVE DONATION OF THE WHEELLOCK CHURCH TO THE CHOCTAW NATION OF OKLAHOMA**

Request by Project Director: Dr. Ian Thompson, Senior Director, Historic Preservation; Teresa Jackson, SEO, Tribal Services