

TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF KIAMICHI ELECTRIC COOPERATIVE, INC., ON CHOCTAW NATION FEE LAND IN ATOKA 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 Kiamichi Electric Cooperative, Inc., on Choctaw Nation Fee Land in Atoka 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, Kiamichi Electric Cooperative, Inc. ("KEC") has proposed a thirty (30) foot wide electric line easement to provide service to the new Daisy Drone Center in Daisy, Oklahoma;

WHEREAS, the payment will be \$0.00 since it is being installed at the request of the Choctaw Nation;

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

WHEREAS, the Council has determined it is in the best interest of the Nation to grant this electric line easement in favor of KEC.

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, in favor of the Kiamichi Electric Cooperative, Inc., on Choctaw Nation Fee land in Atoka County, Oklahoma.

BE IT FURTHER ENACTED by the Council that this Bill be cited as approval of the acceptance of the easement for a payment of \$0.00 for a perpetual term, so long as the easement is used for its intended purpose of providing service to property owned by the Choctaw Nation of Oklahoma.

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 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.

CERTIFICATION

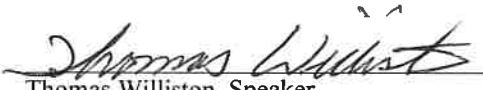
I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that Twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on July 13, 2024. I further certify that the foregoing Council Bill CB-85-24 was adopted at such meeting by the affirmative vote of Twelve (12) members, Zero (0) negative votes, and Zero (0) abstaining.

CB-85-24

TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF KIAMICHI ELECTRIC
COOPERATIVE, INC., ON CHOCTAW NATION FEE LAND IN ATOKA COUNTY, OKLAHOMA



Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation of Oklahoma

Date 7/19/24

TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF KIAMICHI ELECTRIC COOPERATIVE, INC., ON CHOCTAW NATION FEE LAND IN ATOKA COUNTY, OKLAHOMA

Purpose of Council Bill: To approve a thirty (30) foot wide electric line easement, in favor of Kiamichi Electric Cooperative, Inc. ("KEC"), on fee land owned by The Choctaw Nation of Oklahoma, in Atoka County, Oklahoma. The electric line easement will be located in the NE/4 of Section 33 and the SE/4 of Section 28, all in Township 1 North, Range 14 East of the Indian Base and Meridian, Atoka County, Oklahoma. KEC is proposing to construct, install, and maintain an electric line easement to provide service to the new Daisy Drone Center in Daisy, OK. It shall be for a perpetual term, so long as the easement is used for its intended purpose. This electric line easement is being installed for the use and benefit of the Choctaw Nation, therefore payment for the easement is being waived with no need for an appraisal. Attached is a copy of the Easement, Survey Plat, and Legal Description labeled Exhibit A and GIS map labeled Exhibit B. This bill will further the Nation's strategic goal of strengthening financial growth and economic stability.

Title of Council Bill: TO APPROVE AN ELECTRIC LINE EASEMENT, IN FAVOR OF KIAMICHI ELECTRIC COOPERATIVE, INC., ON CHOCTAW NATION FEE LAND IN ATOKA COUNTY, OKLAHOMA

Grantee: Kiamichi Electric Cooperative, Inc.

Duration: Perpetual

Payment: \$0.00 per year

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

Suggested Legislative Committee Review: Finance Committee and Commerce Committee

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENT, that we, the undersigned, (whether one or more) (Unmarried) (husband and wife) for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant **KIAMICHI ELECTRIC COOPERATIVE, INC.**, a cooperative corporation, whose address is **P.O. Box 340 Wilburton, Oklahoma, 74578** and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the **County of ATOKA**, State of Oklahoma, and more particularly described as follows:

Legal Land Description: An easement for an electric line being 30 feet in width located in the NE/4 of Section 33 and the SE/4 of Section 28, all in Township 1 North, Range 14 East of the Indian Base and Meridian, Atoka County, Oklahoma, the centerline of which is described as follows.

Commencing in the SW corner of the NE/4 of section 33, thence N0°27'10"E a distance of 1,049.83 feet;

Thence N1°16'16"W a distance of 1,563.7 feet;

Thence N15°10'37"E a distance of 90.87 feet;

Thence N0°42'58"W a distance of 75.33 feet;

Thence N88°49'08"E a distance of 91.35 feet;

Thence N29°21'28"E a distance of 101.21 feet;

Thence N0°53'37"W a distance of 238.74 feet. Containing 1.51 acres, more or less.

And to construct, reconstruct, operate, and maintain the above-described lands and/or in or upon all streets, roads, or highways abutting said lands, an electric transmission or distribution line or system, to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation; and maintenance of said line or system, may be allowed to use an approved herbicide for brush control, will be allowed to stack brush and trim timber which has been cut within the bounds of the right-of-way easement, (if this construction is a single phase, the right-of-way will be 30-feet in width and for multi-phase, it will be 40-feet in width) and to license, permit, or otherwise agree to the joint use or occupancy of the line or system by any other person, association or corporation, for electrification or telephone purposes. The Choctaw Nation of Oklahoma approves of a 30-foot wide easement for single-phase use only. Should Kiamichi Electric Cooperative, Inc. uprate to multi-phase they will provide written notification 30 days prior to installation.

The undersigned agree that all poles, wires, and other facilities, including any main service entrance equipment, installed on the above-described lands at the Cooperative's expense, shall remain the property of the Cooperative, removable at the option of the Cooperative upon termination of service to or on said lands.

The undersigned covenant that they are the owners of the above-described lands and that the said lands are clear and free of encumbrances and the liens of whatsoever character except those held by the following persons: N/A



Right-of-Way



- Legend**
- Overhead
 - Ground
 - Buffer Merge

EXHIBIT A

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EXHIBIT B

Regulatory Land Base

