

115TH CONGRESS
2^D SESSION

H. R. 1532

IN THE SENATE OF THE UNITED STATES

JANUARY 17, 2018

Received; read twice and referred to the Committee on Indian Affairs

AN ACT

To reaffirm that certain land has been taken into trust for the benefit of the Poarch Band of Creek Indians, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Poarch Band of Creek
3 Indians Land Reaffirmation Act”.

4 **SEC. 2. REAFFIRMATION OF INDIAN TRUST LAND.**

5 (a) IN GENERAL.—Lands described in subsection (b)
6 that were taken into trust by the United States for the
7 benefit of the Poarch Band of Creek Indians prior to the
8 date of enactment of this Act are reaffirmed, subject to
9 valid existing rights, as trust land and shall remain as In-
10 dian country under section 1151 of title 18, United States
11 Code.

12 (b) DESCRIPTION OF LAND.—The land referred to in
13 subsection (a) is comprised of the following:

14 (1) The approximately 229½ acres described in
15 the final Notice of the Department of the Interior’s
16 Poarch Band of Creeks Establishment of Reserva-
17 tion (50 Fed. Reg. 15502 (April 18, 1985)), and
18 Poarch Band of Creeks; Establishment of Reserva-
19 tion: Correction (50 Fed. Reg. 19813 (May 10,
20 1985)), and shown on Poarch Band of Creek Indi-
21 ans Trust Lands Maps 1, 2, and 5 as “Reserva-
22 tion”.

23 (2) The approximately 1 acre named as Parcel
24 5 located within the exterior geographic boundaries
25 of Escambia County, Florida, which was taken into
26 trust by the Department of the Interior via Statu-

1 tory Warranty Deed on November 21, 1984, shown
2 on Poarch Band of Creek Indians Trust Lands Map
3 7, and further described as:

4 Commence at the Southeast corner of the
5 Northwest Quarter of Section 5, Township 5
6 North, Range 33 West, Escambia County, Flor-
7 ida; thence go West along the South line of the
8 Northwest Quarter of said Section 5 for a dis-
9 tance of 420 feet; thence run North for a dis-
10 tance of 40 feet to the point of beginning;
11 thence continue North along said line for a dis-
12 tance of 210 feet; thence run West for a dis-
13 tance of 210 feet; thence run South for a dis-
14 tance of 210 feet; thence run East 210 feet to
15 the point of beginning, containing one acre,
16 more or less.

17 (3) The approximately 1 acre named as Parcel
18 6 located within the exterior geographic boundaries
19 of Monroe County, Alabama, which was taken into
20 trust by the Department of the Interior via Statu-
21 tory Warranty Deed on November 21, 1984, shown
22 on Poarch Band of Creek Indians Trust Lands Map
23 3, and further described as:

24 One acre in a square in Southeast corner
25 of the ten-acre strip on the North side of South

1 Half of Southeast Quarter lying West of the
2 highway in Section 26, Township 5 North,
3 Range 6 East, being the same property con-
4 veyed to the Grantor by deed dated July 23,
5 1984 and filed for record in the office of the
6 Judge of Probate of Monroe County, Alabama
7 on July 23, 1984, and by correction deed dated
8 November 21, 1984.

9 (4) The approximately 10 acres named as Par-
10 cel 12 located within the exterior geographic bound-
11 aries of Escambia County, Alabama, which were
12 taken into trust by the Department of the Interior
13 via Correction Deed on November 21, 1988, shown
14 on Poarch Band of Creek Indians Trust Lands Map
15 4, and further described as:

16 Begin at a 2" iron pipe at the intersection
17 of the South line of Section 5, Township 1
18 North, Range 6 East, and the East right of
19 way line of Alabama State Highway No. 21;
20 thence run S 89° 03' 00" E along said South
21 line of Section 5 a distance of 860.93 feet;
22 thence run N 00° 04' 57" W a distance of
23 608.47 feet; thence run N 89° 56' 20" W a dis-
24 tance of 575.73 feet to the aforementioned East
25 right of way line of Alabama State Highway

1 No. 21; thence run S 25° 32' 21" W along said
2 East right of way line a distance of 659.22 feet
3 to the point of beginning, said property lying
4 and being all in Section 5, Township 1 North,
5 Range 6 East, and containing 10.09 acres,
6 more or less.

7 (5) The approximately 10 acres named as Par-
8 cel 10 located within the exterior geographic bound-
9 aries of Escambia County, Alabama, which were
10 taken into trust by the Department of the Interior
11 via Warranty Deed on August 17, 1992, shown on
12 Poarch Band of Creek Indians Trust Lands Map 2,
13 and further described as:

14 Commencing at the Southeast corner of
15 the Northeast 1/4 of Southwest 1/4 - Section
16 28 Township 2 North Range 6 East; thence
17 North 577.5 feet; thence North 89 degrees
18 West 2726 feet to the point of beginning;
19 thence North 89 degrees West 100 feet; thence
20 South 210 feet; thence North 89 degrees West
21 855 feet; thence South 0 degrees 21 minutes
22 West 378.37 feet; thence South 84 degrees 40
23 minutes East 966 feet; thence North 28 degrees
24 32 minutes East 300 feet; thence North 89 de-

1 grees West 148 feet; thence North 395.34 feet
2 to point of beginning. Containing 10.08 acres.

3 (6) The approximately 52 acres named as Par-
4 cel 14 located within the exterior geographic bound-
5 aries of Escambia County, Alabama, which was
6 taken into trust by the Department of the Interior
7 via Warranty Deed on August 17, 1992, shown on
8 Poarch Band of Creek Indians Trust Lands Map 1,
9 and further described as:

10 All of the North half of Northwest Quarter
11 of Section 34, Township 2 North, Range 5 East
12 lying East of the Poarch-Perdido Road.

13 (7) The approximately 31 acres named as Par-
14 cel 15 located within the exterior geographic bound-
15 aries of Escambia County, Alabama, which were
16 taken into trust by Warranty Deed on August 17,
17 1992, shown on Poarch Band of Creek Indians
18 Trust Lands Map 1, and further described as:

19 All of the West Half of Northwest Quarter
20 of Section 34, Township 2 North, Range 5 East
21 lying North of Dees Road and West of the
22 Poarch-Perdido Road.

23 (8) The approximately 8 acres named as Parcel
24 16 located within the exterior geographic boundaries
25 of Escambia County, Alabama, which were taken

1 into trust by the Department of the Interior via
2 Warranty Deed on August 17, 1992, shown on
3 Poarch Band of Creek Indians Trust Lands Map 1,
4 and further described as:

5 Beginning at the Southwest corner of
6 Northwest Quarter of Southwest Quarter of
7 Section 27, Township 2 North, Range 5 East;
8 thence run East 1145 feet to the public road;
9 thence North 3 degrees 15 minutes East 380
10 feet along said road; thence run West 1167
11 feet; thence run South 380 feet to point of be-
12 ginning containing ten acres, except two acres
13 described as follows:

14 Beginning at the aforesaid point of begin-
15 ning thence run East 848 feet to the starting
16 point; thence run North 297 feet, thence run
17 East 298 feet, more or less, to the West right
18 of way of Old Sullivan Mill Road; thence run
19 Southwesterly along said right of way to the
20 South line of Northwest Quarter of Southwest
21 Quarter of said Section 27; thence run West
22 297 feet to the starting point, containing eight
23 acres, more or less.

24 (9) The approximately 34 acres named as Par-
25 cel 22 located within the exterior geographic bound-

1 aries of Escambia County, Alabama, which was
2 taken into trust by the Department of the Interior
3 via Warranty Deed on August 17, 1992, shown on
4 Poarch Band of Creek Indians Trust Lands Map 1,
5 and further described as:

6 Commence at a one-inch metal pipe being
7 the Southwest corner of Section 27, Township
8 2 North, Range 5 East Escambia County, Ala-
9 bama; thence go N 00° 38' 26'' W along the
10 West line of said Section 27 for a distance of
11 8.0 feet to a point on the Northerly right of
12 way line of Jackson Road (40 foot right of
13 way), said point also being the point of begin-
14 ning; thence continue N 00° 38' 26'' W along
15 said West section line for a distance of 1321.23
16 feet to the Northwest corner of the Southwest
17 Quarter of Southwest Quarter at said Section
18 27; thence go N 89° 30' 13'' E along the North
19 line of said Southwest Quarter of Southwest
20 Quarter for a distance of 1146.48 feet to the
21 Westerly right of way line of Poarch-Perdido
22 Road (40 foot right of way); thence go S 00°
23 34' 55'' W along said Westerly right of way line
24 for a distance of 287.65 feet: thence go S 01°
25 30' 05'' W for a distance of 40.0 feet; thence

1 go S 00° 00' 31" W along aforesaid Westerly
2 right of way line for a distance of 195.59 feet;
3 thence go S 02° 34' 30" W along aforesaid
4 right of way line for a distance of 172.73 feet;
5 thence go S 04° 24' 35" W along aforesaid
6 right of way for a distance of 630.72 feet to the
7 intersection with the Northerly right of way of
8 said Jackson Road; thence go S 89 39' 16" W
9 along said Northerly right of way line for a dis-
10 tance of 1071.43 feet to the point of beginning,
11 it being the intention to describe herein and
12 convey hereby all of the Southwest Quarter of
13 Southwest Quarter of Section 27, Township 2
14 North, Range 5 East, lying West of the public
15 road.

16 (10) The approximately 13 acres named as Par-
17 cel 17 located within the exterior geographic bound-
18 aries of Montgomery County, Alabama, which were
19 taken into trust by the Department of the Interior
20 via Warranty Deed on March 23, 1995, shown on
21 Poarch Band of Creek Indians Trust Lands Map 6,
22 and further described as:

23 Commence at the SW corner of Section 27,
24 T-17-N, R-19-E, Montgomery County, Ala-
25 bama and run EAST, 4340.49 feet; thence

1 NORTH, 1806.29 feet to a point on existing
2 fence line and being the Point of Beginning;
3 Thence continue along said fence line
4 $S89^{\circ}13'03''E$, 136.34 feet; Thence continue
5 along said fence line $S23^{\circ}49'20''E$, 62.92 feet;
6 Thence continue along said fence line
7 $N69^{\circ}23'34''E$, 219.92 feet to an existing iron
8 pin; Thence continue along said fence line
9 $N17^{\circ}23'26''W$, 968.84 feet to an existing iron
10 pin; Thence leaving said fence line
11 $N18^{\circ}23'28''W$, 503.62 feet to a point on the
12 southeast edge of the Tallapoosa River; Thence
13 along said edge $S43^{\circ}24'16''W$, 618.01 feet;
14 Thence leaving said edge $S39^{\circ}49'22''E$, 150.00
15 feet to a point on an existing fence line; Thence
16 along said fence line $S26^{\circ}17'56''E$, 374.05 feet;
17 Thence continue along said fence line
18 $S39^{\circ}39'24''E$, 198.60 feet; Thence continue
19 along said fence line $S17^{\circ}38'01''E$, 386.15 feet
20 to the Point of Beginning. All lying in the E $\frac{1}{2}$
21 Section 27, T-17-N, R-19-E, Montgomery
22 County, Alabama, and containing 12.86 acres
23 more or less.

24 (c) APPLICATION.—This Act shall apply to all claims,
25 including claims challenging the validity of title or the ef-

1 fectiveness of any action of the Secretary acquiring and
2 taking land described in subsection (b) into trust, that are
3 pending on the date of enactment of this Act, or that are
4 filed on or after that date.

 Passed the House of Representatives January 16,
2018.

Attest:

KAREN L. HAAS,
Clerk.