

115TH CONGRESS  
1ST SESSION

# H. R. 1532

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2017

Mr. BYRNE (for himself, Mr. GAETZ, Mr. ADERHOLT, Mr. BROOKS of Alabama, Ms. SEWELL of Alabama, and Mr. ROGERS of Alabama) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

7 (a) IN GENERAL.—Lands described in subsection (b)  
8 that were taken into trust by the United States for the  
9 benefit of the Poarch Band of Creek Indians prior to the

1 date of enactment of this Act are reaffirmed, subject to  
2 valid existing rights, as trust land and shall remain as In-  
3 dian country under section 1151 of title 18, United States  
4 Code.

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

7 (1) The approximately 229½ acres described in  
8 the final Notice of the Department of the Interior’s  
9 Poarch Band of Creeks Establishment of Reserva-  
10 tion (50 Fed. Reg. 15502 (April 18, 1985)), and  
11 Poarch Band of Creeks; Establishment of Reserva-  
12 tion: Correction (50 Fed. Reg. 19813 (May 10,  
13 1985)), and shown on Poarch Band of Creek Indi-  
14 ans Trust Lands Maps 1, 2, and 5 as “Reserva-  
15 tion”.

16 (2) The approximately 1 acre named as Parcel  
17 5 located within the exterior geographic boundaries  
18 of Escambia County, Florida, which was taken into  
19 trust by the Department of the Interior via Statu-  
20 tory Warranty Deed on November 21, 1984, shown  
21 on Poarch Band of Creek Indians Trust Lands Map  
22 7, and further described as:

23 Commence at the Southeast corner of the  
24 Northwest Quarter of Section 5, Township 5  
25 North, Range 33 West, Escambia County, Flor-

1           ida; thence go West along the South line of the  
2           Northwest Quarter of said Section 5 for a dis-  
3           tance of 420 feet; thence run North for a dis-  
4           tance of 40 feet to the point of beginning;  
5           thence continue North along said line for a dis-  
6           tance of 210 feet; thence run West for a dis-  
7           tance of 210 feet; thence run South for a dis-  
8           tance of 210 feet; thence run East 210 feet to  
9           the point of beginning, containing one acre,  
10          more or less.

11           (3) The approximately 1 acre named as Parcel  
12          6 located within the exterior geographic boundaries  
13          of Monroe County, Alabama, which was taken into  
14          trust by the Department of the Interior via Statu-  
15          tory Warranty Deed on November 21, 1984, shown  
16          on Poarch Band of Creek Indians Trust Lands Map  
17          3, and further described as:

18                   One acre in a square in Southeast corner  
19                   of the ten-acre strip on the North side of South  
20                   Half of Southeast Quarter lying West of the  
21                   highway in Section 26, Township 5 North,  
22                   Range 6 East, being the same property con-  
23                   veyed to the Grantor by deed dated July 23,  
24                   1984 and filed for record in the office of the  
25                   Judge of Probate of Monroe County, Alabama

1           on July 23, 1984, and by correction deed dated  
2           November 21, 1984.

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

10                   Begin at a 2" iron pipe at the intersection  
11                   of the South line of Section 5, Township 1  
12                   North, Range 6 East, and the East right of  
13                   way line of Alabama State Highway No. 21;  
14                   thence run S 89° 03' 00" E along said South  
15                   line of Section 5 a distance of 860.93 feet;  
16                   thence run N 00° 04' 57" W a distance of  
17                   608.47 feet; thence run N 89° 56' 20" W a dis-  
18                   tance of 575.73 feet to the aforementioned East  
19                   right of way line of Alabama State Highway  
20                   No. 21; thence run S 25° 32' 21" W along said  
21                   East right of way line a distance of 659.22 feet  
22                   to the point of beginning, said property lying  
23                   and being all in Section 5, Township 1 North,  
24                   Range 6 East, and containing 10.09 acres,  
25                   more or less.

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

8                     Commencing at the Southeast corner of  
9                     the Northeast 1/4 of Southwest 1/4 - Section  
10                    28 Township 2 North Range 6 East; thence  
11                    North 577.5 feet; thence North 89 degrees  
12                    West 2726 feet to the point of beginning;  
13                    thence North 89 degrees West 100 feet; thence  
14                    South 210 feet; thence North 89 degrees West  
15                    855 feet; thence South 0 degrees 21 minutes  
16                    West 378.37 feet; thence South 84 degrees 40  
17                    minutes East 966 feet; thence North 28 degrees  
18                    32 minutes East 300 feet; thence North 89 de-  
19                    grees West 148 feet; thence North 395.34 feet  
20                    to point of beginning. Containing 10.08 acres.

21           (6) The approximately 52 acres named as Par-  
22           cel 14 located within the exterior geographic bound-  
23           aries of Escambia County, Alabama, which was  
24           taken into trust by the Department of the Interior  
25           via Warranty Deed on August 17, 1992, shown on

1 Poarch Band of Creek Indians Trust Lands Map 1,  
2 and further described as:

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

6 (7) The approximately 31 acres named as Par-  
7 cel 15 located within the exterior geographic bound-  
8 aries of Escambia County, Alabama, which were  
9 taken into trust by Warranty Deed on August 17,  
10 1992, shown on Poarch Band of Creek Indians  
11 Trust Lands Map 1, and further described as:

12 All of the West Half of Northwest Quarter  
13 of Section 34, Township 2 North, Range 5 East  
14 lying North of Dees Road and West of the  
15 Poarch-Perdido Road.

16 (8) The approximately 8 acres named as Parcel  
17 16 located within the exterior geographic boundaries  
18 of Escambia County, Alabama, which were taken  
19 into trust by the Department of the Interior via  
20 Warranty Deed on August 17, 1992, shown on  
21 Poarch Band of Creek Indians Trust Lands Map 1,  
22 and further described as:

23 Beginning at the Southwest corner of  
24 Northwest Quarter of Southwest Quarter of  
25 Section 27, Township 2 North, Range 5 East;

1           thence run East 1145 feet to the public road;  
2           thence North 3 degrees 15 minutes East 380  
3           feet along said road; thence run West 1167  
4           feet; thence run South 380 feet to point of be-  
5           ginning containing ten acres, except two acres  
6           described as follows:

7                   Beginning at the aforesaid point of begin-  
8           ning thence run East 848 feet to the starting  
9           point; thence run North 297 feet, thence run  
10          East 298 feet, more or less, to the West right  
11          of way of Old Sullivan Mill Road; thence run  
12          Southwesterly along said right of way to the  
13          South line of Northwest Quarter of Southwest  
14          Quarter of said Section 27; thence run West  
15          297 feet to the starting point, containing eight  
16          acres, more or less.

17           (9) The approximately 34 acres named as Par-  
18          cel 22 located within the exterior geographic bound-  
19          aries of Escambia County, Alabama, which was  
20          taken into trust by the Department of the Interior  
21          via Warranty Deed on August 17, 1992, shown on  
22          Poarch Band of Creek Indians Trust Lands Map 1,  
23          and further described as:

24                   Commence at a one-inch metal pipe being  
25          the Southwest corner of Section 27, Township

1           2 North, Range 5 East Escambia County, Ala-  
2           bama; thence go N 00° 38' 26'' W along the  
3           West line of said Section 27 for a distance of  
4           8.0 feet to a point on the Northerly right of  
5           way line of Jackson Road (40 foot right of  
6           way), said point also being the point of begin-  
7           ning; thence continue N 00° 38' 26'' W along  
8           said West section line for a distance of 1321.23  
9           feet to the Northwest corner of the Southwest  
10          Quarter of Southwest Quarter at said Section  
11          27; thence go N 89° 30' 13'' E along the North  
12          line of said Southwest Quarter of Southwest  
13          Quarter for a distance of 1146.48 feet to the  
14          Westerly right of way line of Poarch-Perdido  
15          Road (40 foot right of way); thence go S 00°  
16          34' 55'' W along said Westerly right of way line  
17          for a distance of 287.65 feet; thence go S 01°  
18          30' 05'' W for a distance of 40.0 feet; thence  
19          go S 00° 00' 31'' W along aforesaid Westerly  
20          right of way line for a distance of 195.59 feet;  
21          thence go S 02° 34' 30'' W along aforesaid  
22          right of way line for a distance of 172.73 feet;  
23          thence go S 04° 24' 35'' W along aforesaid  
24          right of way for a distance of 630.72 feet to the  
25          intersection with the Northerly right of way of



1           said Jackson Road; thence go S 89 39' 16" W  
2           along said Northerly right of way line for a dis-  
3           tance of 1071.43 feet to the point of beginning,  
4           it being the intention to describe herein and  
5           convey hereby all of the Southwest Quarter of  
6           Southwest Quarter of Section 27, Township 2  
7           North, Range 5 East, lying West of the public  
8           road.

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

16                 Commence at the SW corner of Section 27,  
17                 T-17-N, R-19-E, Montgomery County, Alabama  
18                 and run EAST, 4340.49 feet; thence NORTH,  
19                 1806.29 feet to a point on existing fence line  
20                 and being the Point of Beginning; Thence con-  
21                 tinue along said fence line S89°13'03"E,  
22                 136.34 feet; Thence continue along said fence  
23                 line S23°49'20" E, 62.92 feet; Thence continue  
24                 along said fence line N69°23'34"E, 219.92 feet  
25                 to an existing iron pin; Thence continue along

1           said fence line N17°23'26"W, 968.84 feet to an  
2           existing iron pin; Thence leaving said fence line  
3           N18°23'28"W, 503.62 feet to a point on the  
4           southeast edge of the Tallapoosa River; Thence  
5           along said edge S43°24'16"W, 618.01 feet;  
6           Thence leaving said edge S39°49'22"E, 150.00  
7           feet to a point on an existing fence line; Thence  
8           along said fence line S26°17'56"E, 374.05 feet;  
9           Thence continue along said fence line  
10          S39°39'24"E, 198.60 feet; Thence continue  
11          along said fence line S17°38'01"E, 386.15 feet  
12          to the Point of Beginning. All lying in the E 1/  
13          2 Section 27, T-17-N, R 19 E, Montgomery  
14          County, Alabama, and containing 12.86 acres  
15          more or less.

16          (c) APPLICATION.—This Act shall apply to all claims,  
17          including claims challenging the validity of title or the ef-  
18          fectiveness of any action of the Secretary acquiring and  
19          taking land described in subsection (b) into trust, that are  
20          pending on the date of enactment of this Act, or that are  
21          filed on or after that date.

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