

**MODIFICATION COMPACT
FOR KAW NATION/OKLAHOMA
OFF-TRACK WAGERING
COMPACT OF MAY 25, 2001**

Deemed Approved

DEC 13 2019

**MODIFICATION COMPACT FOR
KAW NATION/OKLAHOMA
OFF-TRACK WAGERING COMPACT
OF MAY 25, 2001**

This Compact Modification Agreement made and entered into by and between the Kaw Nation of Oklahoma (Tribe) and the State of Oklahoma (State) pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. §2701 et seq.,

RECITALS

Whereas, these parties have heretofore entered into a Tribal-State Compact governing the licensing, regulation and operation of Class II gaming in the form off- track wagering on simulcast horse races which became effective on May 25, 2001; and,

Whereas, all references to "the Compact" in this Modification Compact shall mean the aforementioned Compact which became effective May 25, 2001, as modified by this Modification Compact.

Wherefore, it is agreed that the original Compact shall be considered on the same terms and conditions as contained therein, subject to the following modification or amendments:

Appendix B of the Compact is modified to add as follows:

**APPENDIX B
KAW NATION
OFF TRACK WAGERING SITES
GAMING FACILITY LOCATIONS**

Braman Casino
9695 US-177
Braman, OK 74632

Braman Casino Legal Description:

A tract of land located in the Northeast Quarter of Section 6, Township 28 North,

Range 1 West of the Indian Meridian, Kay County, State of Oklahoma more particularly described as follows:

Beginning at the Southeast corner of said Northwest Quarter of Section 6; thence West (on an assumed bearing) along the South line of said Northwest Quarter a distance of 430.4 feet to a point on the East right-of-way line of U.S. Interstate 35 (I-35); thence North $8^{\circ}54'$ East along the East right-of-way line of I-35 a distance of 284.3 feet to a point; thence North $2^{\circ}25'$ West along said East right-of-way line of I-35 a distance of 102 feet; thence North $8^{\circ}54'$ East along said East right-of-way line of I-35 a distance of 745 feet; thence Northeasterly along a curve to the right, along the East right-of-way line of I-35, having a radius of 2185.8 feet (said curve subtended by a chord which bears $N19^{\circ}14'E$ a distance of 835.82 feet) and an arc length of 841 feet to a point on the East line of said Northwest Quarter; thence continuing Northeasterly along a curve to the right, along the East right-of-way line of I-35, having a radius of 2185.8 feet (said curve subtended by a chord which bears $N31^{\circ}32'E$ a distance of 94.39 feet) and an arc length of 94.4 feet; thence North $33^{\circ}26'$ East along said East right-of-way line of I-35 a distance of 212.7 feet; thence North $63^{\circ}26'$ East along said East right-of-way line of I-35 a distance of 295.7 feet; thence Southeasterly on a curve to the right, along the South right-of-way line of U.S. Highway 177, having a radius of 1809.9 feet (said curve subtended by a chord which bears $S63^{\circ}50'E$ a distance of 461.65 feet) and an arc length of 462.91 feet; thence $S68^{\circ}06'E$ along the South right-of-way line of U.S. Highway 177 a distance of 114.49 feet; thence $S09^{\circ}15'W$ a distance of 381.45 feet; thence $N82^{\circ}37'W$ a distance of 897.68 feet to a point on the East line of said Northwest Quarter; thence $S00^{\circ}00'E$ along the East line of said Northwest Quarter a distance of 1790.80 feet to the Point of Beginning. Said tract containing 21.54 acres more or less. Subject to all Easements and Rights of Way of record.

A copy of the General Warranty Deed to the site follows.



L-2014-002115 03/14/2014 4:13 pm
Book 1637 Pg 0669-0670
Fee: \$ 15.00 Doc: \$ 0.00
Tammy Reese - Kay County Clerk
State of Oklahoma

WARRANTY DEED

THIS INDENTURE, Made this 12th day of March A.D. 2014

Between the KAW NATION, OKLAHOMA, a federally recognized tribal entity, a/k/a KAW INDIAN TRIBE OF OKLAHOMA, a/k/a KAW TRIBE OF OKLAHOMA, a/k/a KAW NATION OF OKLAHOMA, a/k/a KAW NATION, of Kay County, in the State of Oklahoma, and THE UNITED STATES OF AMERICA IN TRUST FOR THE KAW NATION, OKLAHOMA party of the second part.

WITNESSETH, that in consideration for trust responsibilities to be performed by the United States of America, the receipt whereof is hereby acknowledged, said party of the first part does, by these presents, GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, its successors and assigns, all of the following described REAL ESTATE, situated in the County of Kay and State of OKLAHOMA, to wit:

Surface and surface rights only in and to:

A tract of land located in the Northeast Quarter and Northwest Quarter of Section 6, Township 28 North, Range 1 West of the Indian Meridian, Kay County, State of Oklahoma more particularly described as follows:

Beginning at the Southeast corner of said Northwest Quarter of Section 6; thence West (on an assumed bearing) along the South line of said Northwest Quarter a distance of 430.4 feet to a point on the East right-of-way line of U.S. Interstate 35 (I-35); thence North 8°54' East along the East right-of-way line of I-35 a distance of 284.3 feet to a point; thence North 2°23' West along said East right-of-way line of I-35 a distance of 102 feet; thence North 8°54' East along said East right-of-way line of I-35 a distance of 745 feet; thence Northeast along a curve to the right, along the East right-of-way line of I-35, having a radius of 2185.8 feet (said curve subtended by a chord which bears N19°14'E a distance of 835.82 feet) and an arc length of 841 feet to a point on the East line of said Northwest Quarter; thence continuing Northeast along a curve to the right, along the East right-of-way line of I-35, having a radius of 2185.8 feet (said curve subtended by a chord which bears N31°32'E a distance of 94.39 feet) and an arc length of 94.4 feet; thence North 33°26' East along said East right-of-way line of I-35 a distance of 212.7 feet; thence North 63°26' East along said East right-of-way line of I-35 a distance of 295.7 feet; thence Southeast along a curve to the right, along the South right-of-way line of U.S. Highway 177, having a radius of 1809.9 feet (said curve subtended by a chord which bears S63°50'E a distance of 461.65 feet) and an arc length of 462.91 feet; thence S68°06'E along the South right-of-way line of U.S. Highway 177 a distance of 114.49 feet; thence S09°15'W a distance of 381.45 feet; thence N82°37'W a distance of 897.68 feet to a point on the East line of said Northwest Quarter; thence S00°00'E along the East line of said Northwest Quarter a distance of 1790.80 feet to the Point of Beginning. Said tract containing 21.54 acres more or less. Subject to all Easements and Rights of Way of record.

This tract of land will be acquired by the Bureau of Indian Affairs, Southern Plains Regional Office, P.O. Box 368, Anadarko, OK 73005.

And said party of the first part, the Kaw Nation, Oklahoma, a/k/a Kaw Nation, a/k/a Kaw Tribe of Oklahoma, a/k/a Kaw Indian Tribe of Oklahoma, a/k/a Kaw Nation of Oklahoma, its executors or administrators does hereby covenant, promise and agree to and with said party of the second part, that at delivery of these presents they do lawfully seize in their own right of an absolute and indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances of whatsoever nature; and that the party of the first part will warrant and forever defend the same unto said party of the second part, its successors, and assigns against said party of the first part, their successors and assigns and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hand the day and year first above written.

Attest:
Elaine Huch
Elaine Huch, Kaw Nation Secretary

Guy Audro
Guy Audro, Chair
Kaw Nation, Oklahoma, a/k/a Kaw Tribe of
Oklahoma, a/k/a Kaw Indian Tribe of
Oklahoma, a/k/a Kaw Nation of Oklahoma, a/k/a
Kaw Nation

No stamps required government entity.

ACKNOWLEDGMENT

State of Oklahoma) ss:
County of Kay

BE IT REMEMBERED, that on this 12 day of March, 2014, before the undersigned, a Notary Public in and for said County and State aforesaid personally appeared: Guy Munroe, Chair of the Kaw Nation, and Elaine Huch Secretary of the Kaw Nation, to me personally known to be to me the identical persons who executed the within instrument in writing on behalf of said Indian Tribe, and such persons duly acknowledged the execution of the same as their free and voluntary act and deed on behalf of said Indian Tribe for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the day and year last hereinabove written.



Tammie Wingo
Notary Public

My Office is located at: 1-23-2016
My Commission Number: 12000724

This conveyance is made pursuant to the provisions of the Act of June 18, 1934 (48 Stat. 984) and is hereby accepted and approved by BIA, Southern Plains Regional Office, Anadarko, OK, under authority delegated by 209 DM 8, 230 DM 1, 3 IAM 4, Release #12-42, and 10 BIAM 13, as amended, Anadarko Area Addendum to 10 BIAM dated 10/14/1994, and the Deputy Commissioner's Memorandum of Designation dated 5/8/1997.

3/14/14
Date

Bonnie Thompson
Regional Director

Each of the undersigned represents that he or she is duly authorized and has the authority to execute this agreement on behalf of the party from whom he or she is signing.

STATE OF OKLAHOMA

Deemed Approved

Mary Fallin 10-16-18
GOVERNOR DATE

DEC 13 2019

ATTEST: [Signature] {SEAL}
SECRETARY OF STATE DATE 10/10/18

KAW NATION OF OKLAHOMA

Lynna Deunson 10-15-18
CHAIR OF THE KAW NATION DATE

~~Approved by the Joint Committee on State-Tribal Relations.~~

~~CHAIRMAN DATE~~

Consistent with 25 U.S.C.A § 2710(d)(8), this Compact is approved on the ____ day of _____, 2018 by the Assistant Secretary – Indian Affairs, Department of the Interior.

ASSISTANT SECRETARY – INDIAN AFFAIRS