

Andrew Ellis, Principal Chief
Muscogee (Creek) Nation
H.R. 1554/Fountainhead Property
Land Transfer Act Testimony
April 21, 2010

Property was purchased at a Sheriff's Sale, in McIntosh County, at the price of \$2,000,000. The remaining property in question is "Corps of Engineer Land". This property is very vital because of a building built on property line.

The Corps of Engineer has agreed to sell or transfer this property to the Muscogee (Creek) Nation and is fully supportive of legislation for the sale or transfer of the property to the Muscogee (Creek) Nation. The Nation is currently operating the 18-hole golf course which is connected to the adjacent property.

As Principal Chief, I depend on my support staff, namely Mike Flud, Chief of Staff. I assigned Mr. Mike Flud full control over this project; he has done a great job. Therefore, my knowledge of this project is limited.

The Muscogee (Creek) Nation bought the property known as Fountainhead Resort located in Eufaula, Oklahoma, at a Sheriff's Sale in August, 2005 for two million dollars. The Nation was the only bidder. The resort property consisted of 48+ acres, a 188 room 5-story hotel, a 27,000+ sq. ft. recreation buildings, and some duplex cabins. The property also came with an 18+ acre Corps of Engineers lease which also included some duplex cabins.

It was determined from the official survey that the recreation building sat entirely on Corps land and the survey line split one of the duplexes. When we approached the Corps about buying the property that our building sat on the Corps offered to sell the entire 18+ acres to the Nation and offered to help write the legislation.

It has been the Nation's intention since the purchase to make the property a family destination resort on Lake Eufaula with a casino, restaurant, children area and hotel. To that end we have razed the hotel and now have security living on the property. We have also secured resolutions of support from the surrounding cities, chamber of commerce, lake associations and area state representatives. The Nation also leased the 18-hole Fountainhead Golf Course from the Corps and our legislative body, known as our National Council, has appropriated more than \$2 million to renovate the course. The State of Oklahoma had the lease and was in the process of closing the course because of economics. The course abuts the Fountainhead property.

We have just very recently started the preliminary paperwork to put the property into trust and there are several reasons for this delay. 1.) We know that all of the property will have to be put into trust for gaming. 2.) We were waiting on Congressional action so that if we are successful we will be able to move closer to the lake shore to build. 3.) We began the building of our \$200 million facility at our Tulsa location along the Arkansas River in 2007 and completed the project in 2009 so our priorities changed during this period.

I suppose the existing recreation building could be used as a casino but as I have mentioned above we promised the people in the area that Fountainhead would be a family destination resort and it would be much more feasible to use that building as an entertainment area for the kids.

Lake Eufaula Association, Inc.

Lake Eufaula Association



Tourism • Marketing • Promotion
P. O. Box 792 - 701 S. Main
Eufaula, OK 74432
phone: (918) 689-7751 • fax: (918) 689-7793



Nov. 17, 2005

Muscogee Creek Nation
Mike Flud, Chief of Staff
P. O. Box 580
Okmulgee, OK 74447

Mike

Enclosed you will find a signed resolution supporting the Creek Nation's plans for Fountainhead Resort. The Lake Eufaula Association Board of Directors unanimously approved the resolution at the Nov. 10th meeting.

If we can be of further assistance in facilitating your Fountainhead plans, please let us know.

Sincerely,

Joe Ward
Executive Director
Lake Eufaula Association

PS: Also enclosed is an Invitation to Membership for our association. Your consideration as a Corporate Member would be greatly appreciated.



www.lakeeufaulaassoc.org
lea@cwis.net

Come Play with us!

Lake Eufaula Association, Inc.

Tourism • Marketing • Promotion

<http://www.lakeeufaulaassoc.org>



701 S. Main Street P.O. Box 792

Eufaula, OK 74432-0792

lea@cwis.net

RESOLUTION

A RESOLUTION BY THE LAKE EUFAULA ASSOCIATION, INC. of MCINTOSH COUNTY, OKLAHOMA, SUPPORTING THE MUSCOGEE (CREEK) NATION'S PLANNED RENOVATION OF THE FOUNTAINHEAD RESORT PROPERTY LOCATED IN MCINTOSH COUNTY TO INCLUDE A GAMING FACILITY.

WHEREAS, the Lake Eufaula Association, Inc. desires to promote economic development within the Lake Eufaula region,

WHEREAS, the Muscogee (Creek) Nation, as the fee owner of the Fountainhead Resort Property desires to renovate the existing hotel and include a gaming facility,

WHEREAS, the Lake Eufaula Association, Inc. believes the proposed renovation of the Fountainhead Resort Property would create hundreds of new jobs in the region, stimulate the local economy by creating new businesses as well as increasing the revenue of existing businesses, boost the tourist industry for the region, and create a recreational opportunity for the residents of the Lake Eufaula region that does not now exist,

WHEREAS, the Lake Eufaula Association, Inc. desires to publicly state it does approve the planned renovations to the Fountainhead Resort Property and does support the efforts of the Muscogee (Creek) Nation to develop the Fountainhead Resort Property to include a gaming facility,

NOW BE IT RESOLVED that the Lake Eufaula Association, Inc. of Eufaula, Oklahoma does support the Muscogee (Creek) Nation's planned renovations of the Fountainhead Resort Property located in McIntosh County to include a gaming facility.

ENACTED the 10th day of November, 2005, by majority vote of the Lake Eufaula Association, Inc. Board of Directors of Eufaula, Oklahoma.

IN WITNESS WHEREOF, the President of the Lake Eufaula Association, Inc. Board of Directors has hereto attached his signature.


Bob Edgmon, President
Lake Eufaula Assn. Board of Directors

RESOLUTION # 05-11-1

A RESOLUTION BY THE CITY OF EUFAULA, MCINTOSH COUNTY, OKLAHOMA, SUPPORTING THE MUSCOGEE (CREEK) NATION'S PLANNED RENOVATION OF THE FOUNTAINHEAD RESORT PROPERTY LOCATED IN MCINTOSH COUNTY TO INCLUDE A GAMING FACILITY.

WHEREAS, the City of Eufaula desires to promote economic development within the Lake Eufaula region; and

WHEREAS, the Muscogee (Creek) Nation, as the fee owner of the Fountainhead Resort Property, desires to renovate the existing hotel and include a gaming facility; and

WHEREAS, the City of Eufaula believes the proposed renovation of the Fountainhead Resort Property would create hundreds of new jobs in the region, stimulate the local economy by creating new businesses as well as increasing the revenue of existing businesses, boost the tourist industry for the region, and create a recreational opportunity for residents of the Lake Eufaula region that does not now exist; and

WHEREAS, the City of Eufaula desires to publicly state it does approve the planned renovations to the Fountainhead Resort Property and does support the efforts of the Muscogee (Creek) Nation to develop the Fountainhead Resort Property to include a gaming facility;

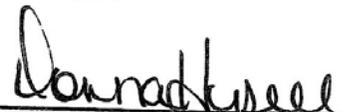
NOW, BE IT RESOLVED by the City Council of the City of Eufaula, Oklahoma, to support the Muscogee (Creek) Nation's planned renovations of the Fountainhead Resort Property located in McIntosh County to include a gaming facility.

PASSED AND APPROVED this 7th day of November, 2005, by majority vote of the city council of the City of Eufaula, Oklahoma.



DEAN SMITH, MAYOR
City of Eufaula

ATTEST:



Donna Hysell, City Clerk



Chamber of Commerce

RESOLUTION

A RESOLUTION BY THE CHECOTAH CHAMBER OF COMMERCE OF MCINTOSH COUNTY, OKLAHOMA, SUPPORTING THE MUSCOGEE (CREEK) NATION'S PLANNED RENOVATION OF THE FOUNTAINHEAD RESORT PROPERTY LOCATED IN MCINTOSH COUNTY TO INCLUDE A GAMING FACILITY.

WHEREAS, the Checotah Chamber of Commerce desires to promote economic development within the Lake Eufaula region,

WHEREAS, the Muscogee (Creek) Nation, as the fee owner of the Fountainhead Resort Property desires to renovate the existing hotel and include a gaming facility,

WHEREAS, the Checotah Chamber of Commerce believes the proposed renovation of the Fountainhead Resort Property would create hundreds of new jobs in the region, stimulate the local economy by creating new businesses as well as increasing the revenue of existing businesses, boost the tourist industry for the region, and create a recreational opportunity for the residents of the Lake Eufaula region that does not now exist,

WHEREAS, the Checotah Chamber of Commerce desires to publicly state it does approve the planned renovations to the Fountainhead Resort Property and does support the efforts of the Muscogee (Creek) Nation to develop the Fountainhead Resort Property to include a gaming facility,

NOW BE IT RESOLVED that the Checotah Chamber of Commerce of Checotah, Oklahoma does support the Muscogee (Creek) Nation's planned renovations of the Fountainhead Resort Property located in McIntosh County to include a gaming facility.

ENACTED this 21st day of November, 2005, by majority vote of the Checotah Chamber of Commerce Board of Directors of Checotah, Oklahoma.

IN WITNESS WHEREOF, the Executive Director of the Checotah Chamber of Commerce Board of Directors has hereto attached his signature.

Lloyd Jernigan
Executive Director
Checotah Chamber of Commerce

RESOLUTION NO. 1174

A RESOLUTION BY THE CITY OF HENRYETTA OF OKMULGEE COUNTY, OKLAHOMA, SUPPORTING THE MUSCOGEE (CREEK) NATION'S PLANNED RENOVATION OF THE FOUNTAINHEAD RESORT PROPERTY LOCATED IN MCINTOSH COUNTY TO INCLUDE A GAMING FACILITY.

WHEREAS, the City of Henryetta desires to promote economic development within the Lake Eufaula region.

WHEREAS, the Muscogee (Creek) Nation, as the fee owner of the Fountainhead Resort Property, desires to renovate the existing hotel and include a gaming facility.

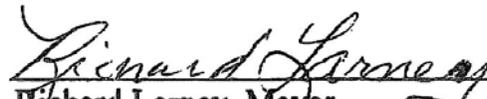
WHEREAS, the City of Henryetta believes the proposed renovation of the Fountainhead Resort Property would create hundreds of new jobs in the region, stimulate the local economy by creating new businesses as well as increasing the revenue of existing businesses, boost the tourist industry for the region, and create a recreational opportunity for the residents of the Lake Eufaula region that does not now exist.

WHEREAS, the City of Henryetta desires to publicly state it does approve the planned renovations to the Fountainhead Resort Property and does support the efforts of the Muscogee (Creek) Nation to develop the Fountainhead Resort Property to include a gaming facility.

NOW BE IT RESOLVED that the City of Henryetta of Henryetta, Oklahoma, does support the Muscogee (Creek) Nation's planned renovations of the Fountainhead Resort Property located in McIntosh County to include a gaming facility.

ENACTED THIS 18th day of October, 2005, by majority vote of the City Council of Henryetta, Oklahoma.

IN WITNESS WHEREOF, the Mayor of the City of Henryetta has hereto attached his signature.


Richard Larney, Mayor

ATTEST:


Donna White, City Clerk



