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CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date

RESOLUTION NO. _____ (2025)

A resolution requesting the U.S. Secretary of the Interior to take certain deeded real property, being approximately 69.9 acres, more or less, owned by the Eastern Band of Cherokee Indians and situated in Cowee Township, Macon County, North Carolina, into trust for the benefit of the Tribe.

WHEREAS, the Eastern Band of Cherokee Indians is a federally recognized Indian tribal nation having governmental jurisdiction over its lands that are held in trust by the United States of America for the benefit of the Tribe.

WHEREAS, the Cherokee Tribal Council is the legislative body of the Tribe and is authorized and empowered under § 16 and § 23 of the Tribe's Charter and Governing Document, and Cherokee Code § 47B-1, to direct the management and control of all real property belonging to the Tribe, meaning all real property held by the Tribe or by the United States for the benefit of the Tribe.

WHEREAS, the United States Secretary of the Interior has authority under 25 USC 5108 and 25 CFR Part 151 to acquire land and hold it in trust for the benefit of Indians including the Eastern Band of Cherokee Indians

WHEREAS, the Eastern Band of Cherokee Indians has acquired title in fee simple to two separate tracts of land near and adjacent to Bryson City Road situated in Cowee Township, Macon County, North Carolina, totaling approximately 69.9 acres, more or less, and is off reservation lands subject to the laws of the State of North Carolina.

WHEREAS, the tracts in question are part of the aboriginal lands of the Eastern Band of Cherokee Indians.

WHEREAS, the acquisition by the Secretary of the Interior is necessary to protect sacred sites or cultural resources and practices of the Eastern Band of Cherokee Indians.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians, at which a quorum is present, that the Secretary of the Interior is hereby requested to accept the following real property and to place the real property in trust for the benefit of the Tribe:

- (a) Tract one: BEING ALL OF THAT CERTAIN 17.13 acres as is more particularly described and shown on that certain recorded plat of survey

1 prepared by Smoky Mountain Land Surveying, P.A. Ben West, N.C.
2 Professional Land Surveyor, and which survey is dated May 17, 2005 and
3 revised October 13, 2006 and February 2, 2007 and which survey is entitled:
4 Conservation Easement for the State of North Carolina, Clean Water
5 Management Trust Fund, The land Trust for the Little Tennessee, Inc. CWMTF
6 Grant No. 2005B-014; and which survey is recorded in Macon County Plat Card
7 File Number 5221, being all of the land described on such plat except for the
8 0.06 acre encroachment area; to which reference is made for a more complete
9 description,

10
11 A portion of Tract One is subject to that Conservation Easement dated February
12 26, 2007 from The Land Trust for the Little Tennessee, Inc. to the State of North
13 Carolina recorded at Book C-31, Page 2422; to which reference is made for a
14 more complete description of the easement area.

- 15
16 (b) Tract two: BEING ALL OF THAT CERTAIN 52.77 acres as is more
17 particularly described and shown on that certain recorded plat of survey
18 prepared by Danny J. Parris, N.C. Professional Land Surveyor, and which
19 survey is dated May 20, 2006 and which survey is entitled: Conservation
20 Easement for the State of North Carolina Clean Water Management Trust Fund
21 Land Trust for the Little Tennessee, Inc. CWMTF Grant No. 2005B-015; and
22 which survey is recorded in Macon County Plat Card File Number 5223 to
23 which reference is made for a more complete description,

24
25 Tract Two is subject to that Conservation Easement dated March 15, 2007 from
26 The Land Trust for the Little Tennessee, Inc. to the State of North Carolina
27 recorded at Book E-31, Page 572-595; to which reference is made for a more
28 complete description of the easement area.

29
30 BE IT FURTHER RESOLVED that the Principal Chief is hereby authorized to submit the
31 necessary fee to trust application and supporting documents to the U.S. Secretary
32 of the Interior to have the property described in in this resolution placed into trust
33 with the United States for the benefit of the Eastern Band of Cherokee Indians, and
34 the Principal Chief is hereby authorized to execute all necessary documents
35 including deed(s) to transfer the property described herein to the United States in
36 trust for the benefit of the Eastern Band of Cherokee Indians.

37
38 BE IT FINALLY Resolved that all resolutions that are inconsistent with this resolution are
39 rescinded, and that this resolution shall become effective when ratified by the
40 Principal Chief.

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42
43 *Submitted by Mitchell Hicks, Principal Chief.*
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