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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 5.76 acres, more or less, owned by the Eastern Band of Cherokee Indians near Coopers Creek Road adjoining existing trust property and situated in Charleston Township, Swain 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 one tract of land near Coopers Creek Road situated in Charleston Township, Swain County, North Carolina, totaling approximately 5.76 acres, more or less, that touch and adjoin the current reservation lands of the Tribe in the Birdtown Community but currently is off reservation land subject to the laws of the State of North Carolina.

WHEREAS, the tract in question is part of the aboriginal lands of the Eastern Band of Cherokee Indians.

WHEREAS, the acquisition by the Secretary of the Interior is necessary to facilitate the Eastern Band of Cherokee Indians economic development, housing and Tribal self-determination.

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:

1 (a) The one tract of land, containing 5.76 acres, more or less, and identified in
2 Exhibit A to that certain deed dated April 15, 2025, from Norma Hardin and
3 Charlotte Toineeta, Grantor, to the Eastern Band of Cherokee Indians, Grantee,
4 and recorded in Book 540, Page 842-846, Swain County, North Carolina
5 Register of Deeds.
6

7 BE IT FURTHER RESOLVED that the Principal Chief is hereby authorized to submit the
8 necessary fee to trust application and supporting documents to the U.S. Secretary
9 of the Interior to have the property described in in this resolution placed into trust
10 with the United States for the benefit of the Eastern Band of Cherokee Indians, and
11 the Principal Chief is hereby authorized to execute all necessary documents
12 including deed(s) to transfer the property described herein to the United States in
13 trust for the benefit of the Eastern Band of Cherokee Indians.
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15 BE IT FINALLY Resolved that all resolutions that are inconsistent with this resolution are
16 rescinded, and that this resolution shall become effective when ratified by the
17 Principal Chief.
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20 *Submitted by Michell Hicks, Principal Chief.*
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