

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

Date: \_\_\_\_\_

RESOLUTION NO.: \_\_\_\_\_ (2023)

*A resolution granting a limited waiver of sovereign immunity to Garanco, Inc. to construct the  
Whitetree Court Housing Development.*

WHEREAS, Cherokee Indians Housing Division (CIHD) desires to enter into a contract with Garanco, Inc., as part of the Whitetree Housing Development project along Highway 19; and

WHEREAS, the project would lead to the construction of 59 apartment units, 7,600 commercial space, and 124 parking spaces to serve the complex; and

WHEREAS, the contract provides for dispute resolution including litigation which are waivers of the Tribe's sovereign immunity; and

WHEREAS, CIHD is requesting that Council grant a limited waiver of sovereign immunity for the contract with Garanco, Inc.; and

WHEREAS, the Office of Attorney General has reviewed the contract with Garanco, Inc.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present that Garanco, Inc. is hereby granted a limited waiver of sovereign immunity to be used relating to the contract with Garanco, Inc. for the housing development project.

BE IT FURTHER RESOLVED that a limited waiver of sovereign immunity attached to this resolution is granted between the Tribe and Garanco, Inc.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

*Submitted by Cherokee Indian Housing Division*