

**CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA**

**Date: April 2016**

**RESOLUTION NO.        (2016)**

**WHEREAS**, The Tribe purchased in 1972 Wolfetown Community Parcel No. 299 and in 1991 Wolfetown Community Parcel 135-D from Joshua Mason Toineeta for a nominal sum of money even though the parcels were purchased for water holding and water treatment.

**WHEREAS**, the Tribe also obtained from Joshua Toineeta right of way easements for necessary water lines for ingress and egress and right of way easements for ingress and egress for construction, maintenance and repair purposes.

**WHEREAS**, Joshua Toineeta was treated so unfairly that the Tribe transferred back these parcels and easements to Frances Queen Toineeta in Resolution 855 (2011) and Resolution 54 (2011).

**WHEREAS**, A lease for these parcels was entered into in January 2012, and Business Committee in March 2016 approved compensating Joshua Mason Toineeta's spouse Frances Toineeta for use of these 2 parcels from 1972 to 2012.

**WHEREAS**, the Toineeta family and Business Committee agreed that Frances Toineeta should be compensated the sum of One Million Dollars (\$1,000,000.00) to compensate Frances for the Tribe's use of these Parcels for a water tower and water treatment and not fairly compensating her husband Joshua or Frances from 1972 to 2012.

**NOW THEREFORE BE IT RESOLVED** by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, that the EBCI pay Frances Queen Toineeta the sum of One Million Dollars (\$1,000,000.00) to compensate Frances for the Tribe's use of these Parcels for a water tower and water treatment and not fairly compensating her husband Joshua or Frances from 1972 to 2012.

**BE IT FURTHER RESOLVED** that the Finance Office shall locate sufficient funds from all available Tribal sources to carry out the intent of this resolution.

**BE IT FINALLY RESOLVED** that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.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