

# TABLED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

Date: MAY 01 2025

## RESOLUTION NO. 482 (2025)

*A resolution authorizing Birdtown Community Parcel No. 133 to be pledged as security for a mortgage loan so that Daniel Robert Estes Myers may build a house on the parcel without the signatures of Asija Daniel Robert Myers and Meli Miranda Myers.*

WHEREAS, on January 26, 2010, Tribal Business Committee approved the transfer of Birdtown Community Parcel No 133, containing 0.7 acres, more or less, with all improvements thereon, to Bessie Murphy Myers' son, Daniel Robert Estes Myers, and his four children, one of which is a minor, Lauren Iana Dawn Myers (dob 09/19/2007), Thomas Michael Myers, Asija Daniel Robert Myers, and Meli Miranda Myers; and

WHEREAS, the parcel included the Mutual Help Home that was built thereon by Qualla Housing Authority, and which was occupied by Ms. Myers, who retained a life estate therein; and

WHEREAS, Ms. Myers passed on March 9, 2010, terminating the life estate and leaving Daniel Myers and his four children as the sole owners of the property; and

WHEREAS, the home has been destroyed by fire and the remnants have been removed from the parcel; and

WHEREAS, Daniel Myers wishes to build a new home on the parcel, which he will occupy with his children, who also have an ownership interest in the parcel; and

WHEREAS, Tribal Council enacted Resolution No. 432 (2022) authorizing the execution of a lease, assignment, promissory note, and other documents so that Mr. Myers could obtain a mortgage loan from the Tribe, and that it was in the best interest of Mr. Myer's then two minor children for Mr. Myer's to obtain the mortgage loan, but only on the condition that he obtained consent from his two adult children who maintain an ownership interest in the parcel, Asija Daniel Robert Myers and Meli Miranda Myers; and

WHEREAS, since the passage of Resolution No. 432, Mr. Myers has made multiple attempts to obtain consent from his adult children and they either cannot be located because they no longer live in the area, or are unwilling to consent to the mortgage loan on the parcel; and

1 WHEREAS, the Cherokee Indians Division of Housing has approved Mr. Myers to receive a  
2 mortgage loan, encumbered by a lease and assignment, so that he may build a new  
3 home on the property and live there with his family, including his minor child; and  
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5 WHEREAS, Mr. Myers cannot replace the home without the loan from the Cherokee Indian  
6 Housing Division; and  
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8 WHEREAS, Mr. Myers requests Tribal Council to exercise its comprehensive authority over  
9 Tribal real property pursuant to § 16 of the Charter and Governing Document, to  
10 authorize the creation, execution and approval of a lease, assignment, promissory  
11 note, and any other document necessary in the normal course of business to  
12 encumber the property and by which Mr. Myers may obtain the loan to build the  
13 house for himself and his family, as previously authorized by Resolution No. 432,  
14 and without the consent of Asija Daniel Robert Myers and Meli Miranda Myers.  
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16 NOW THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians in Council  
17 Assembled, at which a quorum is present, that the necessary Tribal divisions and  
18 programs, and the Tribal Business Committee, are authorized to create, execute and  
19 approve the customary form of lease, assignment, promissory note, and other  
20 documents by which Daniel Robert Estes Myers may apply for and, if qualified,  
21 obtain the mortgage loan he is seeking from the Tribe, and to execute those  
22 documents so that Birdtown Community Parcel No. 133, containing 0.7 acres, more  
23 or less, with all improvements thereon, are pledged as security for the loan by  
24 Daniel Robert Estes Myers without the signatures of Asija Daniel Robert Myers  
25 and Meli Miranda Myers.  
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27 BE IT FURTHER RESOLVED that it is in the best interest of the minor child who has an  
28 ownership interest in the property Lauren Iana Dawn Myers (dob 09/19/2007) to  
29 grant the authorizations described in this resolution, and to allow the property to be  
30 pledged as collateral for the mortgage loan. Their minority shall not preclude the  
31 execution and approval of the necessary documents by Daniel Robert Estes Myers.  
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33 BE IT FURTHER RESOLVED that nothing in this resolution exempts Daniel Robert Estes Myers  
34 from having to satisfy requirements imposed by the Cherokee Indian Housing  
35 Division including, but not limited to employment, income, and credit.  
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37 BE IT FURTHER RESOLVED that the Cherokee Indian Housing Division, the Tribal Realty  
38 Services Office, and the Tribal Business Committee are authorized to carry out the  
39 intent of this resolution.  
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41 BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are  
42 rescinded, and that this resolution shall become effective when ratified by the  
43 Principal Chief.  
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46 *Submitted by Bo Crowe, Wolfstown Community Council Representative on behalf of Daniel Myers*