

1 **PASSED**  
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6

Cherokee Council House  
Cherokee, North Carolina

**APR 02 2024**

Date

7 RESOLUTION NO. 152 (2024)  
8

9 *A resolution for the Estate of Carroll James Parker*

10  
11 WHEREAS, Carroll James Parker (deceased March 4, 2022), enrolled member of the Eastern Band  
12 of Cherokee Indians left a Last Will and Testament, dated December 20, 2001; and

13  
14 WHEREAS, Michael Andrew Parker qualified as the Executor of the Estate of Carroll James Parker  
15 in Cherokee Court Estate File No. 22-055; and

16  
17 WHEREAS, the Tribal Realty Office has examined the deceased's Will, the records on file regarding  
18 the deceased's possessory holdings in Tribal trust land, and other documents, and has  
19 written this resolution so that Tribal Council may confirm the Last Will and Testament  
20 of the deceased and to provide for the distribution of the deceased's possessory  
21 holdings to their eligible heirs; and

22  
23 WHEREAS, the deceased owned **Wolftown Community Parcel No. 1044-B (Remainder of**  
24 **Parcel No. 1044)**, containing 26.645 Acres, more or less, together with all  
25 improvements located thereon, with his wife, Mabel Washington Parker (enrolled), and  
26 his last will and testament stated that his interest was to be given to his daughter, Clara  
27 Janet Parker Holt (enrolled); and

28  
29 WHEREAS, Mabel Washington Parker automatically received Carroll James Parker's ½ Undivided  
30 Interest in Parcel No. 1044-B through Tenancy by the Entirety as his spouse; and

31  
32 WHEREAS, the last will and testament stated that **Big Cove Community Parcel No. 358,**  
33 containing 17.258 acres, more or less, was to be given to his son, Michael Andrew  
34 Parker (enrolled), however, the deceased had already transferred the parcel to Michael  
35 Andrew Parker prior to his death, and this Transfer of Possessory Interest was approved  
36 by the Tribal Business Committee on April 24, 2018.

37  
38 NOW, THEREFORE, BE IT RESOLVED by the Eastern Band of Cherokee Indians in Council  
39 Assembled, at which a quorum is present that the Tribal Council of the Eastern Band  
40 of Cherokee Indians does hereby confirm the Last Will and Testament of Carroll James  
41 Parker dated December 20, 2001.

42  
43 BE IT FURTHER RESOLVED that **Big Cove Community Parcel No. 631-A,** containing 3.121  
44 Acres, more or less, be assigned to Mabel Washington Parker (enrolled).

45  
46 BE IT FURTHER RESOLVED that the rest, remainder and residue of any possessory holdings in the  
47 estate shall be assigned to Mabel Washington Parker (enrolled) as stated in the  
48 residuary clause of the will.

49  
50 BE IT FINALLY RESOLVED that the Tribal Business Committee and Tribal Realty Services are  
51 hereby authorized to carry out the intent of this resolution.

52  
53 *Submitted by: Michelle Ruffman on behalf of Tribal Realty Services.*  
54

ADDRESSES

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Mabel Washington Parker  
RR#3044  
Post Office Box 55  
Cherokee, North Carolina 28719  
  
Michael Andrew Parker  
RR#4369  
Post Office Box 100  
Cherokee, North Carolina 28719  
  
Clara Janet Wahnetah  
RR#4797  
Post Office Box 769  
Cherokee, North Carolina 28719

**EASTERN BAND OF CHEROKEE INDIANS**

File No.

**EST 22-055**

Cherokee, North Carolina

In The Cherokee Tribal Court  
Before The Clerk

**IN THE MATTER OF THE ESTATE OF:**

EBCI  
CHEROKEE TRIBAL COURT  
CHEROKEE, NC

Name Of Decedent

**CARROLL JAMES PARKER**

2022 APR 25 P 4:29

**CERTIFICATE OF PROBATE**

Date Of Purported Will

12/20/2001

**FILED**

G.S. 28A-2A-6 (as adopted and interpreted by the C.C.)

Date(s) Of Codicil(s)

N/A

A paper-writing dated as indicated above, purporting to be the Last Will and Testament or codicil(s) thereto of the above-named decedent, has been exhibited before me. Sufficient proof of the due execution thereof has been taken in the self-proving paper-writing or as set forth in the accompanying affidavits which are incorporated and made a part hereof.

It is adjudged that the paper-writing and every part thereof is the Last Will and Testament or codicil(s) thereto of the decedent, and the same is ordered admitted to probate.



Date	04/25/2022
Signature	<i>Amy M. Vasquez</i>
<input checked="" type="checkbox"/> Assistant Clerk	<input type="checkbox"/> Clerk Of Court

**EASTERN BAND OF CHEROKEE INDIANS**

File No. **EST 22-055**

Cherokee, North Carolina

**The Cherokee Court**  
EBCI  
CHEROKEE TRIBAL COURT  
CHEROKEE, NC  
Before the Clerk

**IN THE MATTER OF THE ESTATE OF**

2022 AUG 24 P 1:57

Decedent:

**CARROLL JAMES PARKER**

**Heir Information**

R02034

**FILED**

DOD: 03/04/2022

Pursuant to Cherokee Code Sec. 28-1(c), the following individuals are hereby declared the legal heirs of the above-named decedent for purposes of inheritance of personal property. This final determination is based on Tribal Enrollment descendant lists and legal documentation.

Kinship	Name	DOB	Roll #
Surviving spouse	Mabel Washington Parker	11/29/1942	R03044
Surviving children	Michael Andrew Parker	12/19/1964	R04369
	Clara Wahnetah	12/29/1967	R04797

I hereby certify that the above information is true and correct to the best of my knowledge and belief.



*Amym Vasquez*  
Clerk of Court by Assistant Clerk

Date

8/24/22

Indian Will Under the Act of June 25, 1910 (36 Stat. 855-856)  
as Amended by the Act of February 14, 1913 (37 Stat. 678)

EBCI  
CHEROKEE TRIBAL COURT  
CHEROKEE, NC

**Last Will and Testament**

2022 APR 25 P 4:01

CARROLL JAMES PARKER, RR #2034, Age 63, - DOB: 10/21/1938

FILED

I, CARROLL JAMES PARKER, of the Eastern Cherokee Tribe, of the State of North Carolina, being of sound and disposing mind, realizing the uncertainty of human life, do make this my Last Will and Testament hereby revoking all former wills by me made, in manner and form following, that is to say:

First. - I desire that all my legal debts be paid, including the expenses of my last illness, funeral, and burial.

Second. - I give, devise and bequeath my One-Half Undivided Interest in Wolfstown Community Parcel No. 1044-B (Remainder of Parcel No. 1044), containing 26.654 acres, more or less, together with all improvements located thereon to my daughter, Clara Janet Parker Holt, RR#4797, subject to a Life Estate for my wife, Mabel Washington Parker, RR#3044, to manage, occupy and control during her lifetime.

Third. - I give, devise and bequeath approximately one acre of land located below the road out of Big Cove Community Parcel No. 358 as shown on attached plat to my daughter, Clara Janet Parker Holt, RR#4797, subject to a Life Estate for my wife, Mabel Washington Parker, RR#3044, to manage, occupy and control during her lifetime.

Fourth. - I give, devise and bequeath the Remainder of Big Cove Community Parcel No. 358 containing approximately 16.258 acres, more or less, together with all improvements located thereon, to my son, Michael Andrew Parker, RR#4369, subject to a Life Estate for my wife, Mabel Washington Parker, RR#3044, to manage, occupy and control during her lifetime.

Fifth. - I hereby appoint my son, Michael Andrew Parker Executor of my Last Will & Testament to see that my wishes are carried out, and I desire that he serve without bond being required of him. Should Michael Andrew Parker predecease me or is unable to perform the duties as Executor, then in that event, I appoint my wife, Mabel Washington Parker as Executrix of my Last Will & Testament and I desire that she serve without bond being required of her.

NO RIGHTS OF AN EXECUTOR ARE TO BE RECOGNIZED

IF MORE SPACE IS NECESSARY TO DESCRIBE PROPERTY, AFFIX A SEPARATE SHEET

A Diagonal Line Shall Be Drawn From the Last Devise to the Bottom of This Page

**EASTERN BAND OF CHEROKEE INDIANS**

File No.

EST 22-055

Cherokee, North Carolina

EBCI  
CHEROKEE TRIBAL COURT  
CHEROKEE, NC

In The Cherokee Court  
Before the Clerk

IN THE MATTER OF THE ESTATE OF:

Name

2022 APR 22 P 3 27

**LETTERS**

**CARROLL JAMES PARKER**

**FILED**

G.S. 28A-6-1; 28A-6-3; 28A-11-1; 36C-2-209 (as adopted and interpreted by the C.C.)

The Court in the exercise of its jurisdiction of the probate of wills and the administration of estates, and upon application of the fiduciary, has adjudged legally sufficient the qualification of the fiduciary named below and orders that Letters be issued in the above estate.

The fiduciary is fully authorized by the laws of The Eastern Band of Cherokee Indians to receive and administer all of the assets belonging to the estate, and these Letters are issued to attest to that authority and to certify that it is now in full force and effect.

Witness my hand and the Seal of the Cherokee Court.

Name And Address Of Fiduciary 1

MICHAEL ANDREW PARKER  
PO BOX 100

CHEROKEE

NC 28719

Title Of Fiduciary 1

EXECUTOR

Date Of Qualification

22-Apr-2022

Clerk Of Court

**K. DENISE HALLAUER-FOX**

**EX OFFICIO JUDGE OF PROBATE**

Name And Address Of Fiduciary 2

Date Of Issuance

22-Apr-2022

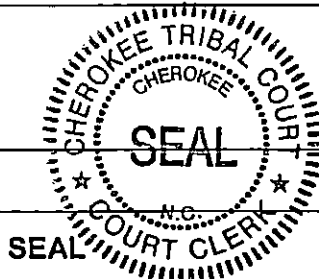
Signature

Title Of Fiduciary 2

Deputy Clerk

Assistant Clerk

Clerk Of Court



**NOTE: This letter is not valid without the official seal of the Clerk of the Cherokee Court.**

EBCI-E-403, Rev. 7/06

Copies to:

Enrollment

Bank(s)

I give, devise, and bequeath all of the rest and residue of my estate, real, personal, and mixed to: My wife, Mabel Washington Parker, RR#3044.

In witness whereof, I, CARROLL JAMES PARKER, have hereunto set my hand, sealed, published, and declared this to be my Last Will and Testament, this

20th day of December, in the year of our Lord two thousand and one.

Witnesses:

[Signature]  
(L.S.)

[Signature]

Residing at Cherokee, NC

CARROLL JAMES PARKER

[Signature]  
Residing at Cherokee, NC

The foregoing instrument of writing was here and now signed by CARROLL JAMES PARKER in our presence, and at his request and in the presence of each other we have signed as witnesses and she has published and declared this to be his [her] Last Will and Testament.

[Signature]  
Residing at Cherokee, NC

[Signature]  
Residing at Cherokee, NC

Department of the Interior  
Office of the Examiner of Inheritance

Pursuant to the provisions of the Act of February 14, 1913 (37 Stat. 678), and the provision of 25 CFR 81, the within will is hereby

herewith: [Signature] in accordance with the Order of even date

Done at the City of [Signature]

Examiner of Inheritance

Instructions to Field Officers

1. The testator may sign by thumb mark. The mustnesses must be able to write, and should not be interested as heirs or devisees.
2. Inquire carefully into the immediate family of testator. If a husband, wife, child or grandchild who is an heir is given nothing, the reason must be set out.
3. Witnesses and testator must sign in the presence of each other. Read the will carefully to testator and be sure that he understands it and that it expresses his wishes.
4. Whenever possible, include the name, allotment number, if any, age, residence, tribe, and relationship of each devisee, specific description of lands devised, and in case of inherited interests, the name and allotment number of original allottee and interest of testator therein.
5. Explain fully to testator that fractional interests are of little or no value to a devisee if further divided, and that the entire interest in a specific piece of land is much more valuable than a fractional interest. The testator does not have to give the residue to "my heirs at law," he can give the residue to one person if he wishes. If he gives the residue to one person it prevents further divisions; if he gives it to several persons or to his "heirs at law" a further division takes place. He may also give all his estate or the residue to the Tribe (naming it) if he wishes.

United States  
Department of the Interior  
Bureau of Indian Affairs

State of North Carolina

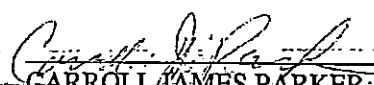
ss.

Affidavit to Accompany Indian Will

County of Swain

I, CARROLL JAMES PARKER, being first duly sworn, on oath, depose and say: That I am an enrolled member of the Eastern Cherokee Tribe of Indians in the State of North Carolina; that on the 20th day of December, 2001, I requested SHERIDAN SMITH and VIRGIL CROWE to act as witnesses thereto; that the said witnesses heard me publish and declare the same to be my last will and testament; that I signed said will in the presence of both witnesses and they signed the same as witnesses in my presence and in the presence of each other; and that said will was read and explained to me (or read by me), after being prepared and before I signed it; and it clearly and accurately expresses my wishes; and I further state that no person has influenced me to make disposition of any part of my property in any other manner than I myself of my own free will desire and wish to dispose of it.

(\*)

  
CARROLL JAMES PARKER  
RR # 2034

We, SHERIDAN SMITH and VIRGIL CROWE, each being first duly sworn, on oath depose and state: That on the 20th day of December, 2001, CARROLL JAMES PARKER, a member of the Eastern Cherokee Tribe of Indian of the State of North Carolina, published and declared that attached instrument to be his (her) last will and testament, signed the same in the presence of both of us and requested both of us to sign the same as witnesses; that we, in compliance with his (her) request, signed the same as witnesses in his (her) presence and in the presence of each other; that said testator (testatrix) was not acting under duress, menace, fraud or undue influence of any person, so far as we could ascertain in our opinion was mentally capable of disposing of all his (her) estate by will; and that neither of us is named as a beneficiary in said will or in anywise interested in the distribution of the estate of said testator (testatrix).

  
SHERIDAN SMITH

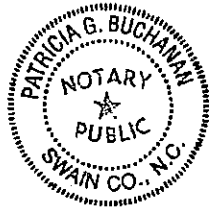
  
VIRGIL CROWE

(\*) At this point should be inserted the tribe and allotment or other numbers of the devisees and beneficiaries and their relationship to the testator or testatrix (unless this information is shown in the body of the will), and the testator's or testatrix's reasons for making the devise, particularly when the immediate relatives are given little or none of the estate.



I, A. Jane Blankenship, being first duly sworn on oath depose and say: That I am employed as Realty Officer at the Cherokee Agency in the state of North Carolina; that on the 20th day of December 2001, CARROLL JAMES PARKER, an enrolled member of the Eastern Cherokee Tribe of Indians in the state of North Carolina, requested me to prepare his (her) last will and testament; that I prepared the attached will and read (or had read by the interpreter) said will to testator (testatrix) and he (she) then stated that said instrument was drawn in accordance with his (her) own wishes as previously stated to me; that said testator (testatrix) was not, so far as I could ascertain, acting under duress, menace, fraud or undue influence of any person; and in my opinion was mentally capable of disposing of his (her) estate by will; that he (she) signed and published and declared it to be his (her) last will and testament before Sheridan Smith and Virgil Crowe, whom he (she) requested to act as witnesses thereto, that there were present in the room with the testator (testatrix) at said time besides myself and the above named witnesses, the following named persons: None

A. Jane Blankenship  
Subscribed and sworn to before me this 20th day of December 2001, by Carroll James Parker, Sheridan Smith and Virgil Crowe, and A. Jane Blankenship



Patricia G. Buchanan  
Notary Public  
(Title)

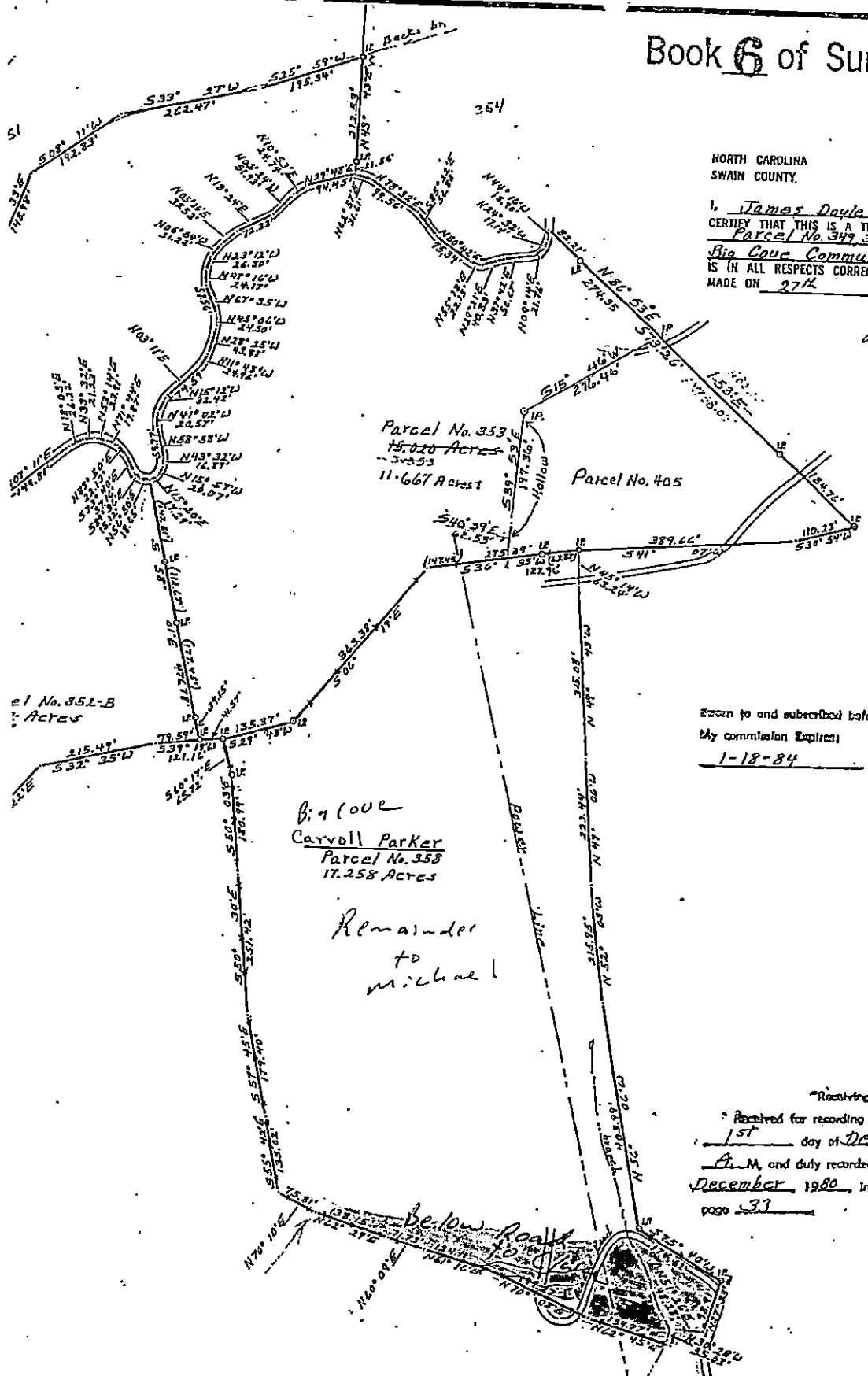
My Commission expires: 7-11-2006

# Book 6 of Survey

NORTH CAROLINA  
SWAIN COUNTY.

I, James Doyle Maxw  
CERTIFY THAT THIS IS A TRUE AND  
Parcel No. 349, 350, 353.  
Big Cove Community  
IS IN ALL RESPECTS CORRECT AND W  
MADE ON 27th DAY 1

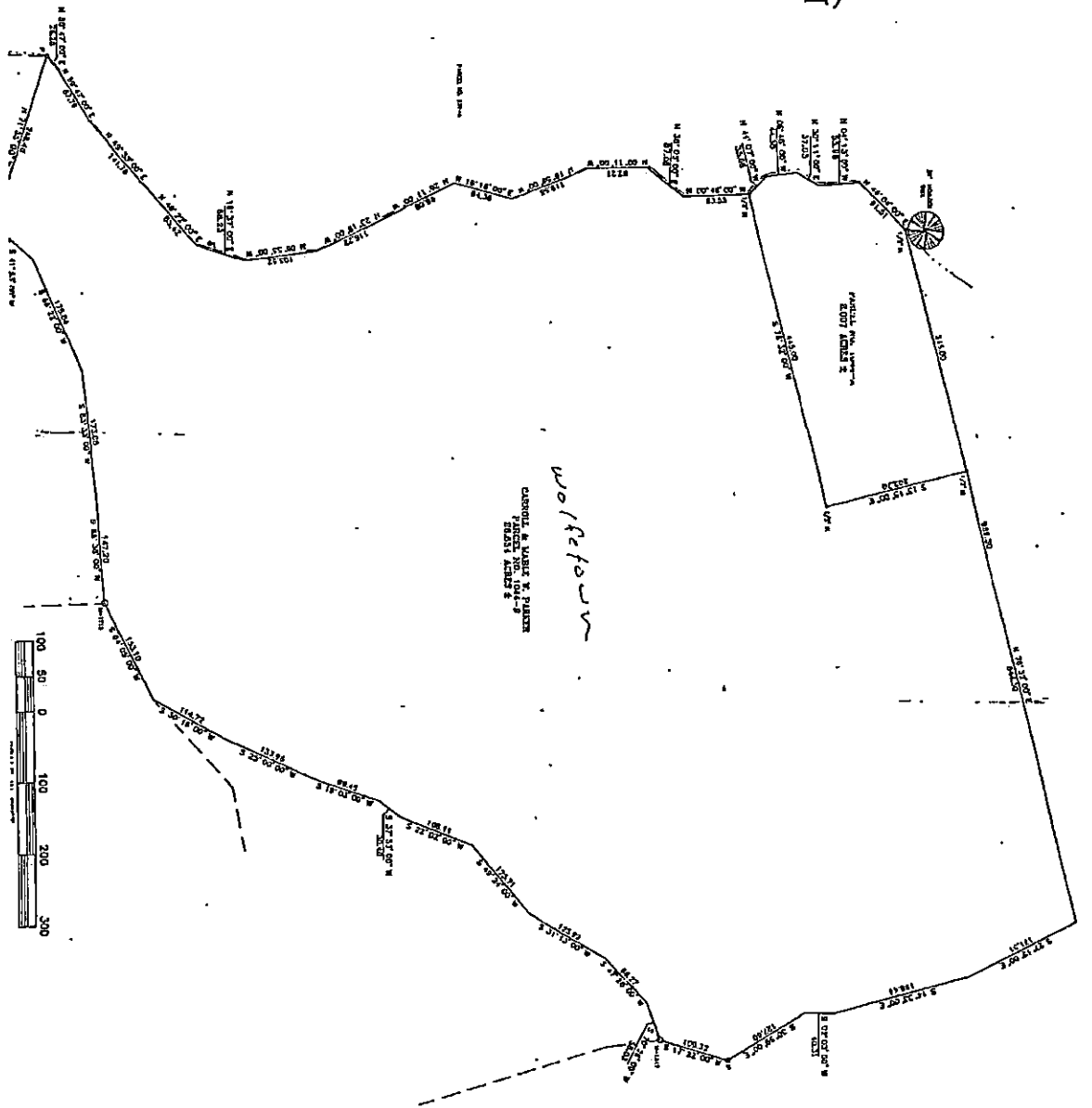
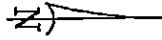
*James*  
REGISTER



Examined and subscribed before me this  
My commission Expires  
1-18-84

Received for recording in the C  
1st day of December  
A.M. and duly recorded in said  
December, 1980, in Book  
page 33

U. S. DEPARTMENT OF  
CHEROKEE INDIAN F  
CHEROKEE  
POSSESSORY



Wolfeboro  
CONVEYED TO JAMES W. JARVIS  
PARCEL NO. 1044-9

PARCEL NO. 1044-8  
EDDY ARMS 2



STATE OF NORTH CAROLINA  
HAYWOOD COUNTY  
REGISTER OF DEEDS  
SHERRI C. ROGERS

Instrument# 2022900320 Book 109 Page 175

NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
N.C. VITAL RECORDS  
CERTIFICATE OF DEATH



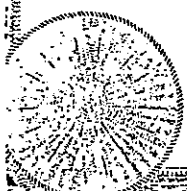
STATE FILE NO. DTH 109 175

<b>DECEDENT</b>		<b>DECEDENT'S LEGAL NAME</b>							
1a. FIRST Carroll		1b. MIDDLE James		1c. LAST Parker		1d. SUFFIX *****		1e. LAST NAME PRIOR TO FIRST MARRIAGE *****	
2. SEX Male		3a. AGE- LAST BIRTHDAY (Yrs) 83		3b. UNDER 1 YEAR Months Days		3c. UNDER 1 DAY Hours Minutes		4. DATE OF BIRTH OCT 21, 1938	
5. BIRTHPLACE (County/State or Foreign Country) Swain, NC		6. DATE OF DEATH March 04, 2022		7a. PLACE OF DEATH Inpatient		7b. FACILITY NAME (If not institution, give street number, city or town) Haywood Regional Medical Center			
7c. COUNTY OF DEATH Haywood		8a. MARITAL STATUS Currently Married		8b. SURVIVING SPOUSE (Give name prior to last marriage) Mabel Washington					
10a. DECEDENT'S USUAL OCCUPATION Director		10b. KIND OF BUSINESS/INDUSTRY EBCI Fish and Game		11. DECEDENT'S SOCIAL SECURITY NUMBER 243-56-2779					
12a. RESIDENCE-STATE OR FOREIGN COUNTRY North Carolina		12b. RESIDENCE-COUNTY Jackson		12c. RESIDENCE-CITY OR TOWN Cherokee					
12d. RESIDENCE-STREET AND NUMBER 78 Payton Shelby Road		12e. INSIDE CITY LIMITS No		12f. ZIP CODES 28719		13. WAS DECEDENT EVER IN U.S. ARMED FORCES? Yes			
14. DECEDENT'S EDUCATION Associate degree		15. DECEDENT OF HISPANIC ORIGIN? Not Spanish/Hispanic/Latino		16. DECEDENT'S RACE Eastern Band of Cherokee					
17a. FATHER/PARENT NAME (First, Middle, Last, Suffix) (Last Name Prior to First Marriage) Benjamin Parker		17b. MOTHER/PARENT NAME (First, Middle, Last, Suffix) (Last Name Prior to First Marriage) Flora Lambert							
18a. FATHER/MOTHER'S NAME Mabel Parker		18b. RELATIONSHIP TO DECEDENT Spouse		18c. MAILING ADDRESS (Street and Number, City, State, Zip Code) Unknown PO Box 55, Cherokee, NC 28719					
20a. METHOD OF DISPOSITION Burial		20b. PLACE OF DISPOSITION (Name of cemetery, crematory, other place) Parker Family Cemetery		20c. LOCATION (City or Town and State) Cherokee, North Carolina					
21a. SIGNATURE OF FUNERAL DIRECTOR Christopher Allen Ledford (Signature Authenticated)		21b. LICENSE NO. FD4124		21c. NAME OF EMBALMER Nathaniel F. Ledford		21d. LICENSE NO. FS2824			
22. NAME AND ADDRESS OF FUNERAL HOME Crisp Funeral Home Enterprises, Inc., 669 Us-19 Highway, Bryson City, NC 28713									
<b>MEDICAL CERTIFICATION</b>		23. PART I. Enter the chain of events (diseases, injuries or complications) that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology on lines b, c and/or d. Enter only one cause on a line. DO NOT ABBREVIATE.		Approximate interval (Onset to death for MEDICATE CAUSE)					
IMMEDIATE CAUSE (Final disease or condition resulting in death)		→ respiratory failure		Due to (or as a consequence of)		7 days			
Sequentially list conditions, if any, leading to the cause listed on line a. Enter the UNDERLYING CAUSE (Indicate one or injury that initiated the events resulting in death) LAST		b. chl exacerbation		Due to (or as a consequence of)		7 days			
		c. sepsis		Due to (or as a consequence of)		7 days			
		d. community acquired pneumonia		Due to (or as a consequence of)		8 days			
PART II. Enter additional conditions contributing to death but not resulting in the underlying cause given in PART I.									
24a. WAS AN AUTOPSY PERFORMED? No		24b. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH?							
25. MANNER OF DEATH Natural		26. WAS CASE REFERRED TO MEDICAL EXAMINER? No		27. TIME OF DEATH (Approximate) 1253		28. DID TOBACCO USE CONTRIBUTE TO DEATH? Unknown		29. PREGNANCY STATUS, IF APPLIES. Not Applicable	
30. DATE PRONOUNCED 03/04/2022		31a. DATE OF INJURY		31b. TIME OF INJURY		31c. INJURY AT WORK?		31d. PLACE OF INJURY	
31e. IF TRANSPORTATION INJURY SPECIFY:									
<b>MEDICAL EXAMINER ONLY</b>		31f. DESCRIBE HOW INJURY OCCURRED		31g. LOCATION OF INJURY (Sheet/Number/City/State)					
<b>CERTIFIER</b>		32. CERTIFIER I certify that, to the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner listed.							
33a. SIGNATURE AND TITLE OF CERTIFIER Charles Kaighn Morlok, MD (Signature Authenticated)		33b. LICENSE NO. 2017-01590		33c. DATE SIGNED 03/18/2022					
33d. NAME AND ADDRESS OF CERTIFIER Charles Kaighn Morlok, 262 Leroy George Dr, Clyde, NC 28721		33e. CASE NUMBER 8214317							
<b>REGISTRAR</b>		34. SIGNATURE OF LOCAL REGISTRAR Tina Brock McClure (Signature Authenticated)		35. LOCAL FILE DATE 03/21/2022		36. DATE REGISTERED BY STATE 03/21/2022			
37. ITEM(S) AND DATE(S) CORRECTED/AMENDED									

DPHS 1872  
REVISED 03/07/19  
N.C. VITAL RECORDS

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY WHICH APPEARS ON RECORD IN THE OFFICE OF REGISTER OF DEEDS, HAYWOOD COUNTY, N.C. IN BOOK 109 PAGE 175. WITNESS MY HAND AND SEAL THIS 23rd OF MARCH, 2022.

SHERRI C. ROGERS, REGISTER OF DEEDS  
BY: Cassie N. Farmer  
ASSISTANT (DEPUTY) REGISTER OF DEEDS



3/10/98

WOLFETOWN COMMUNITY  
CARROLL AND MABLE W. PARKER

PARCEL NO. 1044-B REMAINDER OF PARCEL NO. 1044

BEGINNING on a ½" Iron Rod set in Wolfetown Community, on the edge of a Br. and on the E property boundary of Parcel No. 529-A and is the SW corner to Parcel No. 1044-A. Thence leaving Parcel No. 529-A and the Br. and running with Parcel No. 1044-A, N 76° 32' E 445.00' to a ½" Iron Rod. Thence running N 13° 15' W 202.70' to a ½" Iron Rod set on the SE property boundary of Parcel No. 529-A. Thence leaving Parcel No. 1044-A and running with Parcel No. 529-A, N 76° 32' E 644.30' to a point set on the center of a ridge. Thence leaving Parcel No. 529-A and running with the center of the ridge the following courses and distances:

S 27° 12' E 171.51' to a point; S 14° 33' E 198.44' to a point;

S 02° 03' W 40.31' to a point; S 30° 59' E 127.60' to an Iron Pipe;

S 17° 22' W 100.32' to Marker No. 2847' set at a ridge intersection. Thence running down the spur ridge the following courses and distances:

S 70° 26' W 56.03' to a point; S 47° 28' W 86.27' to a point;

S 31° 13' W 125.92' to a point; S 49° 24' W 125.71' to a point;

S 22° 02' W 106.11' to a point; S 37° 53' W 38.40' to a point;

S 19° 03' W 99.45' to a point; S 25° 00' W 133.96' to a point;

S 30° 16' W 114.72' to a point; S 64° 05' W 153.10' to Marker No. 1710.

S 85° 38' W 147.20' to a point; S 83° 33' W 173.08' to a point;

S 66° 22' W 175.04' to a point; S 41° 53' W 72.20' to a point. Thence leaving the ridge and running N 71° 35' W 248.46' to an Iron pipe set on the SE property boundary of Parcel No. 529-A and on the edge of a Br. Thence running up the edge of the Br. with Parcel No. 529-A the following courses and distances:

N 50° 47' E 26.26' to a point; N 59° 47' E 87.79' to a point;

N 49° 33' E 141.76' to a point; N 48° 22' E 85.42' to a point;

N 19° 37' E 68.23' to a point; N 06° 55' W 103.52' to a point;

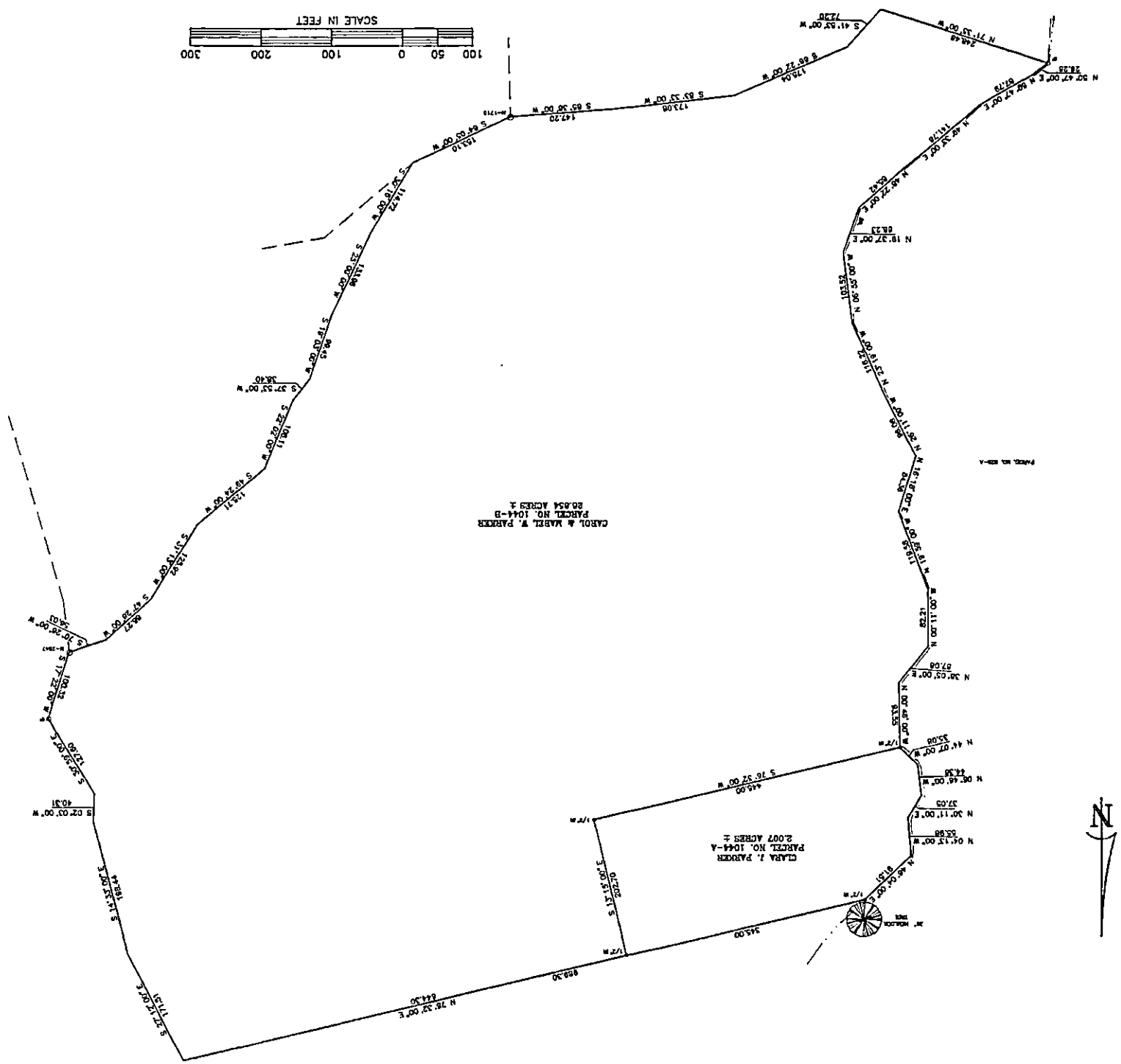
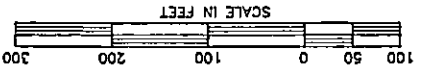
N 23° 19' W 116.22' to a point; N 26° 11' W 96.08' to a point;

N 16° 18' E 84.36' to a point; N 19° 59' W 119.58' to a point;

N 00° 11' W 82.21' to a point; N 38° 05' E 67.08' to a point;

N 00° 46' W 93.55' to The Point BEGINNING.

Containing 26.654 Acres ±.



CAROL & MARIE W. PARKER  
PARCEL NO. 1044-B  
0.054 ACRES ±

CLARA J. PARKER  
PARCEL NO. 1044-A  
2.007 ACRES ±

PARCEL NO. 1044-C



1-106 duplicate

MC

CHEROKEE INDIAN RESERVA

TRANSFER OF POSSESSORY INTEREST AND OR USE RIGHTS TO CHEROKEE TRIBAL LANDS

THIS TRANSFER OF POSSESSORY HOLDING AS DESCRIBED HEREON, MADE THIS 18TH DAY OF JANUARY, 2018, BY AND BETWEEN CARROLL JAMES PARKER, RR#2034, PARTY OF THE FIRST PART, AND MICHAEL ANDREW PARKER, RR#4369, PARTY OF THE SECOND PART, BOTH BEING RECOGNIZED MEMBERS OF THE EASTERN BAND OF CHEROKEE INDIANS AND ACCORDINGLY ENTITLED TO USE OF TRIBAL LANDS IN ACCORD WITH APPLICABLE BUREAU AND TRIBAL REGULATIONS.

WITNESSETH, THAT THE SAID PARTY OF THE FIRST PART HEREBY COVENANTS AND AGREES THAT, IF THE PARTY OF THE SECOND PART SHALL FIRST PERFORM THE COVENANTS HEREINAFTER MENTIONED ON HIS PART TO BE MADE AND PERFORMED, THE PARTY OF THE FIRST PART WILL Transfer to the Party of the Second Part all HIS interest in and possessory rights to a certain parcel of land located in Big Cove Community, Swain County, North Carolina and being fully described as follows:

**BIG COVE COMMUNITY PARCEL NO. 358** – BEGINNING on an iron pipe set in Big Cove Community (Tow String) at a fence corner on the Centerline of a ridge, N 45° 14' W 60.00' from the Centerline of an access Rd. and is a point on the SE property boundary of Parcel No. 353. Thence running with Parcel No. 353, the centerline of the ridge and a barbed wire fence line, S 36° 38' W 275.39' to a point, passing over an iron pipe at 63.82'. Thence running S 06° 19' E 363.38' to an iron pipe. Thence running S 29° 48' W 135.37' to an iron pipe. Thence leaving Parcel No. 353, the Centerline of the ridge and running with the fence the following

CONTINUATION ON REVERSE HEREOF

AND THE SAID PARTY OF THE SECOND PART HEREBY COVENANTS AND AGREES IN CONSIDERATION OF THE ABOVE LISTED COVENANTS OF THE PARTY OF THE FIRST PART TO PAY TO THE PARTY OF THE FIRST PART THE SUM OF \$1.00 AND OTHER GOOD AND VALUABLE CONSIDERATIONS FOR THE ABOVE DESCRIBED PARCEL OF LAND.

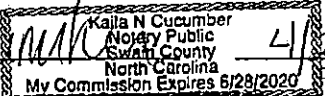
IT IS UNDERSTOOD AND AGREED BY BOTH PARTIES HERETO THAT ONLY THE IMPROVEMENTS AND POSSESSORY INTEREST IN THE LAND IS CONVEYED BY THIS AGREEMENT AND THAT THE TITLE TO SAID LAND REMAINS IN A TRUST STATUS IN THE NAME OF THE EASTERN BAND OF CHEROKEE INDIANS. THE PARTY OF THE SECOND PART HEREBY COVENANTS AND AGREES TO ACCEPT ALL BOUNDARIES OF THE SUBJECT POSSESSORY HOLDING AS SURVEYED AND DESCRIBED ABOVE.

IT IS FURTHER UNDERSTOOD AND AGREED THAT THIS AGREEMENT SHALL NOT BECOME BINDING AND EFFECTIVE UNLESS AND UNTIL APPROVED BY THE BUSINESS COMMITTEE OF THE EASTERN BAND OF CHEROKEE INDIANS AND FULL COMPLIANCE OF APPLICABLE TRIBAL REGULATIONS HAS BEEN MET.

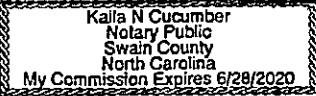
IT IS MUTUALLY AGREED THAT ALL COVENANTS AND AGREEMENTS HEREIN CONTAINED SHALL EXTEND TO AND BE OBLIGATORY UPON THE SUCCESSORS IN INTEREST OF THE RESPECTIVE PARTIES.

THE PARTY OF THE SECOND PART COVENANTS AND AGREES THAT THE ABOVE DESCRIBED PARCEL IS TRANSFERRED SUBJECT TO ALL EXISTING ROADS, RIGHTS-OF-WAYS AND EASEMENTS THROUGH AND ACROSS SAID PROPERTY.

IN WITNESS WHEREOF THE PARTIES TO THESE PRESENT HAVE HEREUNTO SET THEIR HANDS AND SEALS, THE DAY AND YEAR FIRST ABOVE WRITTEN.

*Karla N Cucumber*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:  4/2/18 DATE

*Carroll James Parker*  
CARROLL JAMES PARKER

*Karla N Cucumber*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:  3/26/18 DATE

*Michael Andrew Parker*  
MICHAEL ANDREW PARKER

TRIBAL BUSINESS COMMITTEE APPROVAL: APR 24 2018

*[Signature]*  
PRINCIPAL CHIEF

ABSENT

VICE CHIEF  
*[Signature]*  
VICE CHAIRMAN, TRIBAL COUNCIL, YELLOWHILL

*[Signature]*  
CHAIRMAN, TRIBAL COUNCIL, SNOWBIRD/CHEROKEE COUNTY

*[Signature]*  
TRIBAL COUNCIL, BIG COVE

*[Signature]*  
TRIBAL COUNCIL, BIRDTOWN

*[Signature]*  
TRIBAL COUNCIL, PAINTTOWN

*[Signature]*  
TRIBAL COUNCIL, WOLFETOWN

courses and distances:

S 60° 17' E 65.72' to an iron pipe;

S 50° 03' E 180.99' to a point;

S 50° 30' E 251.42' to a point;

S 57° 45' E 179.40' to a point;

S 55° 42' E 135.02' to a point;

N 70° 10' E 75.81' to a point;

N 62° 29' E 135.15' to a point;

N 60° 09' E 71.73' to a point;

N 61° 16' E 124.11' to a point;

N 70° 08' E 199.27' to a point, crossing an access Rd. at 95.00' and at 170.00' or -.

N 62° 45' E 154.77' to a point, set on the N E edge of a br.

N 30° 28' W 35.03' to a point;

N 51° 26' E 48.28' to a point set on the S W edge of an access Rd. Thence running N 27° 33' W 98.91' to a point set on the N W edge of the rd. Thence running with the edge of the rd. S 75° 40' W 174.62' to an iron pipe set on a woven wire fence line. Thence running with the fence line the following courses and distances:

N 56° 06' W 403.99' to a point;

N 52° 03' W 215.95' to a point;

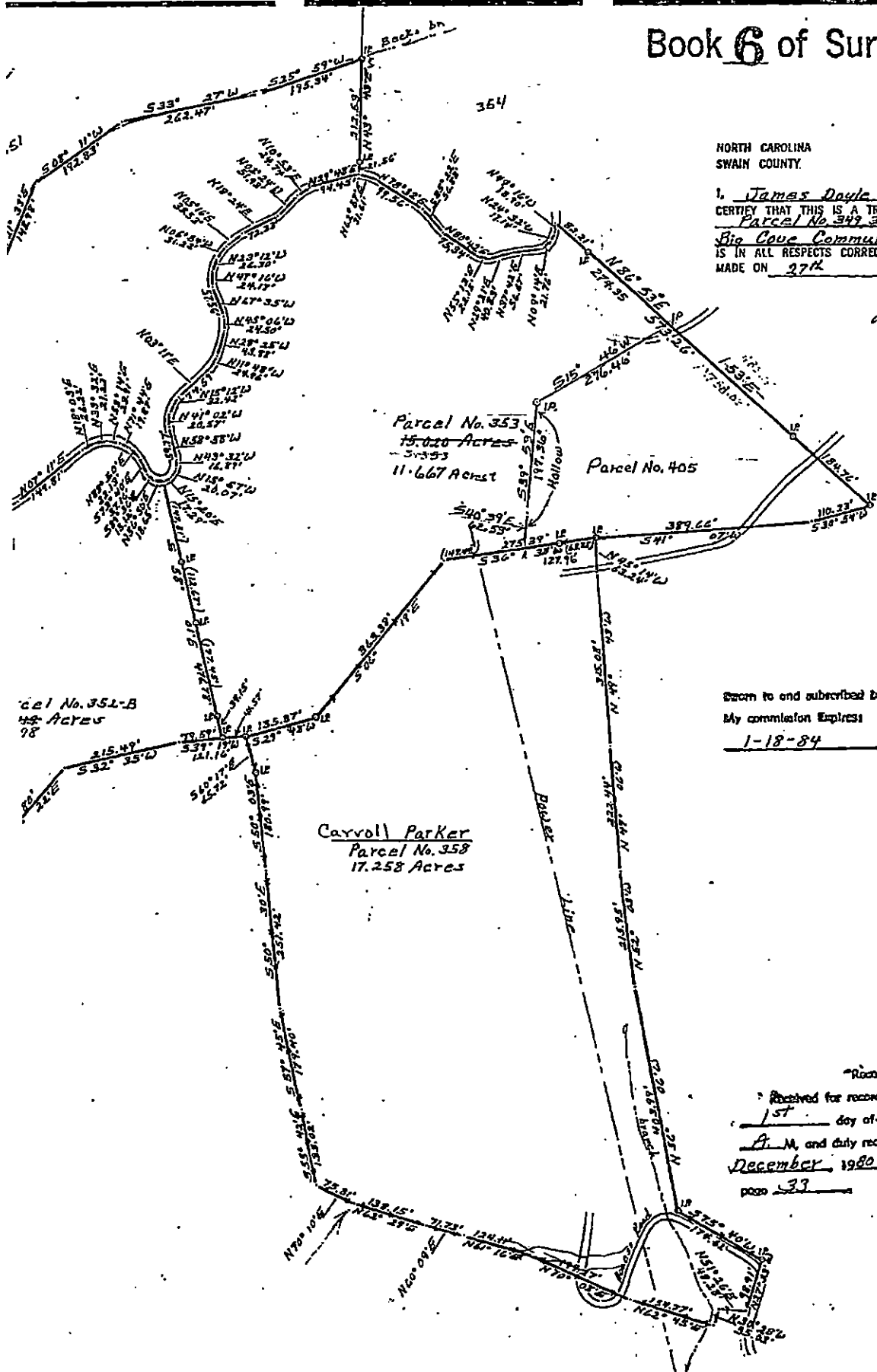
N 49° 06' W 222.44' to a point;

N 49° 43' W 315.08' to a point, set on the S E edge of an access Rd. Thence running N 45° 14' W 63.24' to the point of beginning.

Containing 17.258 Acres, more or less.



# Book 6 of Survey



NORTH CAROLINA  
SWAIN COUNTY.

I, James Doyle Marx  
CERTIFY THAT THIS IS A TRUE AND  
Parcel No. 349, 350, 352  
Bio Cove Community  
IS IN ALL RESPECTS CORRECT AND W  
MADE ON 27th DAY

*James Doyle Marx*  
REGISTER

Parcel No. 353  
15.020 Acres  
- 5353  
11.667 Acres

Parcel No. 405

Parcel No. 351-B  
4.8 Acres  
78

Carroll Parker  
Parcel No. 358  
17.258 Acres

Sworn to and subscribed before me this  
My commission Expires  
1-18-84

Received for recording in the  
1st day of December  
A. M. and duly recorded in vol.  
December 1980 in Book  
page 33

U. S. DEPARTMENT  
CHEROKEE INDIAN  
CHEROKEE  
POSSESSOR

CHEROKEE INDIAN RESERVATION

12/31/14

TRANSFER OF POSSESSORY INTEREST AND OR USE RIGHTS TO CHEROKEE TRIBAL LANDS

THIS TRANSFER OF POSSESSORY HOLDING AS DESCRIBED HEREON, MADE THIS 3RD DAY OF DECEMBER, 2014, BY AND BETWEEN TINSA LAMBERT SANDERS, RR#2349, 1/32, PARTY OF THE FIRST PART, AND CARROLL JAMES PARKER, RR#2034, 1/8, PARTY OF THE SECOND PART, BOTH BEING RECOGNIZED MEMBERS OF THE EASTERN BAND OF CHEROKEE INDIANS AND ACCORDINGLY ENTITLED TO USE OF TRIBAL LANDS IN ACCORD WITH APPLICABLE BUREAU AND TRIBAL REGULATIONS.

WITNESSETH, THAT THE SAID PARTY OF THE FIRST PART HEREBY COVENANTS AND AGREES THAT, IF THE PARTY OF THE SECOND PART SHALL FIRST PERFORM THE COVENANTS HEREINAFTER MENTIONED ON HIS PART TO BE MADE AND PERFORMED, THE PARTY OF THE FIRST PART WILL **Transfer to the Party of the Second Part all HER interest in and possessory rights to a certain parcel of land located in the Big Cove Community, Swain County, North Carolina and being fully described as follows:**

**BIG COVE COMMUNITY PARCEL NO. 631-A (REMAINDER OF PARCEL NO. 631)** - BEGINNING at an Iron Rod Set in Big Cove Community, said Iron Rod Set being located S70°08'00"W 20.22' from an Iron Rod Set, thence with the line of Parcel No. 358 the following four calls:

- S70°08'00"W 96.99' to a point; S61°16'00"W 124.11' to a point;
- S60°09'00"W 71.73' to a point; S62°29'00"W 142.43' to a point;

**CONTINUATION ON REVERSE HEREOF**

AND THE SAID PARTY OF THE SECOND PART HEREBY COVENANTS AND AGREES IN CONSIDERATION OF THE ABOVE LISTED COVENANTS OF THE PARTY OF THE FIRST PART TO PAY TO THE PARTY OF THE FIRST PART THE SUM OF \$2,000.00 AND OTHER GOOD AND VALUABLE CONSIDERATIONS FOR THE ABOVE DESCRIBED PARCEL OF LAND. PAYMENT SCHEDULE: THE ABOVE AMOUNT IS DUE TEN (10) DAYS AFTER APPROVAL BY TRIBAL BUSINESS COMMITTEE.

IT IS UNDERSTOOD AND AGREED BY BOTH PARTIES HERETO THAT ONLY THE IMPROVEMENTS AND POSSESSORY INTREST IN THE LAND IS CONVEYED BY THIS AGREEMENT AND THAT THE TITLE TO SAID LAND REMAINS IN A TRUST STATUS IN THE NAME OF THE EASTERN BAND OF CHEROKEE INDIANS. THE PARTY OF THE SECOND PART HEREBY COVENANTS AND AGREES TO ACCEPT ALL BOUNDARIES OF THE SUBJECT POSSESSORY HOLDING AS SURVEYED AND DESCRIBED ABOVE.

IT IS FURTHER UNDERSTOOD AND AGREED THAT THIS AGREEMENT SHALL NOT BECOME BINDING AND EFFECTIVE UNLESS AND UNTIL APPROVED BY THE BUSINESS COMMITTEE OF THE EASTERN BAND OF CHEROKEE INDIANS AND FULL COMPLIANCE OF APPLICABLE TRIBAL REGULATIONS HAS BEEN MET.

IT IS MUTUALLY AGREED THAT ALL COVENANTS AND AGREEMENTS HEREIN CONTAINED SHALL EXTEND TO AND BE OBLIGATORY UPON THE SUCCESSORS IN INTEREST OF THE RESPECTIVE PARTIES.

THE PARTY OF THE SECOND PART COVENANTS AND AGREES THAT THE ABOVE DESCRIBED PARCEL IS TRANSFERRED SUBJECT TO ALL EXISTING ROADS, RIGHTS-OF-WAYS AND EASEMENTS THROUGH AND ACROSS SAID PROPERTY.

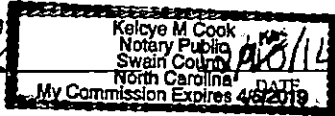
IN WITNESS WHEREOF THE PARTIES TO THESE PRESENT HAVE HEREUNTO SET THEIR HANDS AND SEALS, THE DAY AND YEAR FIRST ABOVE WRITTEN.

Kelcye M Cook  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:



Tinsa Lambert Sanders  
TINSA LAMBERT SANDERS

Kelcye M Cook  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:



Carroll James Parker  
CARROLL JAMES PARKER

JAN 13 2015

TRIBAL BUSINESS COMMITTEE APPROVAL:

Michael Steeb  
PRINCIPAL CHIEF

Jim GTO  
VICE CHIEF

Juni Henry  
CHAIRWOMAN, TRIBAL COUNCIL, PAINTTOWN

[Signature]  
VICE CHAIRMAN, TRIBAL COUNCIL, WOLFETOWN

[Signature]  
TRIBAL COUNCIL, BIG COVE

C Rose  
TRIBAL COUNCIL, BIRDTOWN

[Signature]  
TRIBAL COUNCIL, SNOWBIRD/CHEROKEE COUNTY

[Signature]  
TRIBAL COUNCIL, YELLOWHILL

Thence with the line of Parcel No. 632-A the following five calls:

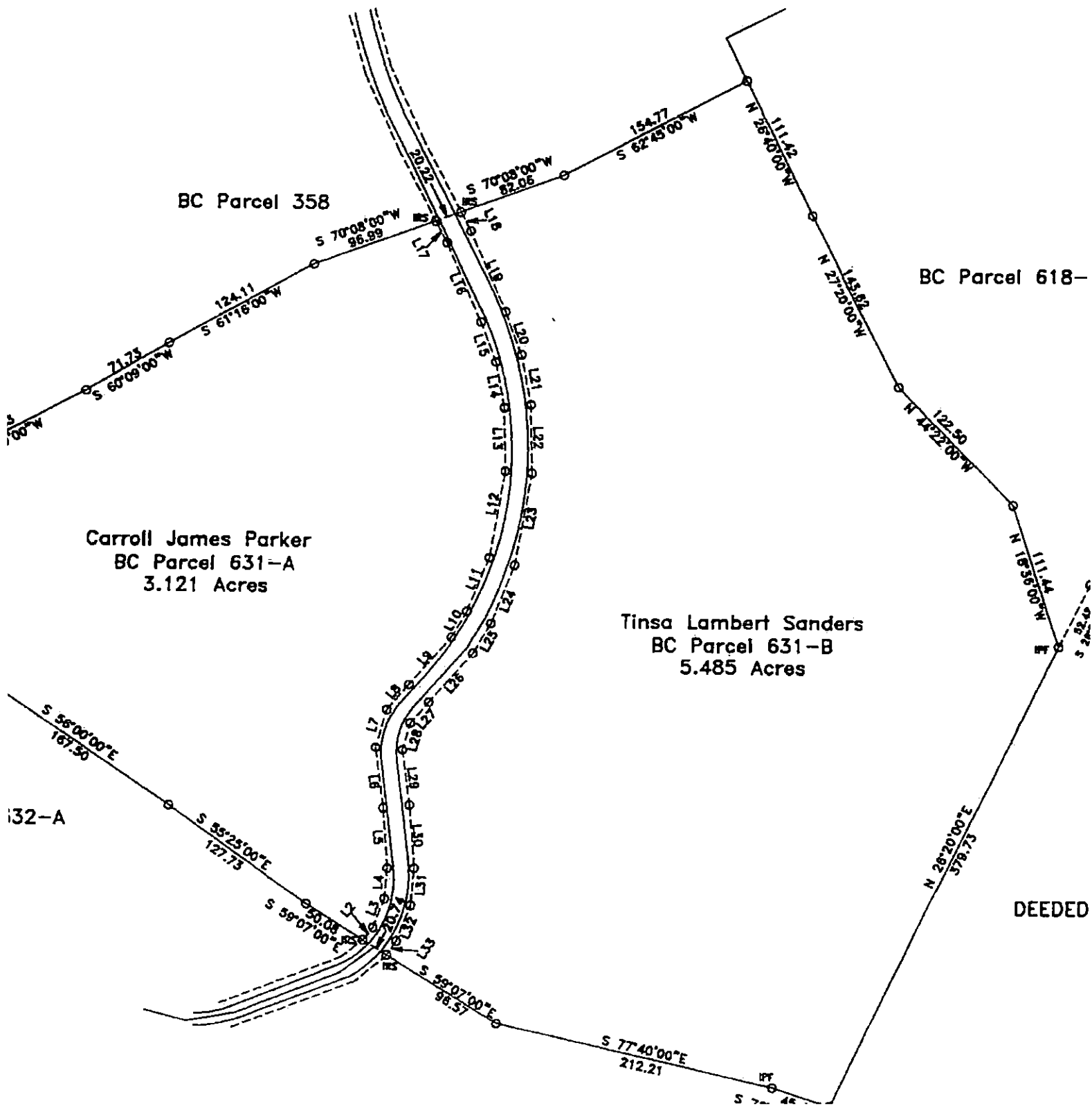
S36°32'00"E 21.32' to a point; S16°46'00"E 138.72' to a point;  
S56°00'00"E 167.50' to a point; S55°25'00"E 127.73' to a point;  
S59°07'00"E 50.08' to an Iron Rod Set;

said Iron Rod Set located on the 20' Access Road Right of Way of Becks Branch Road, along said 20' Road Right of Way the following sixteen calls:

N38°56'04"E 11.79' to a point; N21°52'20"E 22.66' to a point;  
N04°23'55"E 23.04' to a point; N05°04'43"W 44.66' to a point;  
N07°39'05"W 45.81' to a point; N16°21'27"E 29.52' to a point;  
N40°56'46"E 25.22' to a point; N41°32'39"E 47.73' to a point;  
N30°19'56"E 22.74' to a point; N22°11'05"E 43.16' to a point;  
N09°53'18"E 65.28' to a point; N01°19'27"W 47.32' to a point;  
N10°50'56"W 34.44' to a point; N20°39'12"W 32.13' to a point;  
N24°24'47"W 64.47' to a point; N28°24'06"W 18.16' to an Iron Rod Set;

said Iron Rod Set being the Northeast corner of Parcel No. 631-A and being the POINT OF BEGINNING.

Containing 3.121 Acres, more or less.



The attached Resolution/Ordinance No. 152 dated APRIL 2, 2024 was:

PASSED ( X )

KILLED ( )

and ratified in open Council on APRIL 2, 2024 by 88 voting for the act and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Perry Shell	X			
Boyd Owle	X			
Bucky Brown	X			
Tom Wahnetah	X			
David Wolfe	X			
Adam Wachacha	X			
Mike Parker				X
Bo Crowe	X			
Jim Owle	X			
Dike Sneed	X			
Michael Stamper	X			
	88	0	0	12

*Mike Parker*

TRIBAL COUNCIL CHAIRMAN

*Michelle Thompson*

ENGLISH CLERK

*Michael Stalk*

PRINCIPAL CHIEF

APPROVED (  ) VETOED ( )

VETO UPHeld ( ) VETO DENIED ( )

DATE: 4-3-24

I hereby certify that the foregoing act of the Council was duly:

PASSED ( )

KILLED ( )

and ratified in open Council after the same has been interpreted by the Official Interpreter and has been fully and freely discussed.

INTERPRETED ( )

OMITTED ( )