

**CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA**

Date: _____

RESOLUTION NO. _____ (2016)

WHEREAS, The Veterans of Foreign Wars, Post 8013 has approached the EBCI to see if the Tribe is interested in purchasing its parcel of land in which its headquarters are located in the Qualla Township, Jackson County North Carolina.

WHEREAS, This parcel is found in Deed Book 850, Page 630 consisting of 5.687 acres (copy attached).

WHEREAS, The appraisal which was completed in June 2015 was for \$223,000.00.

WHEREAS, The Veterans of Foreign Wars, Post 8013 has accepted the EBCI's offer of \$175,000.00 and Business Committee recommended the purchase of this Parcel on January 5, 2016.

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 Tribal Council hereby authorizes the Principal Chief, on behalf of the Tribe, to enter into a Contract for the purchase of the Veterans of Foreign Wars Parcel found in Jackson County Register of Deeds, Book 850, Page 630 consisting of 5.687 acres for the purchase price of One Hundred Seventy Five Thousand Dollars (\$175,000.00).

BE IT FURTHER RESOLVED that the \$175,000.00 purchase price (and costs) comes from the fund balance of the Endowment Fund No. 2.

BE IT FURTHER RESOLVED that the Tribe approves up to \$5,000 to cover the closing costs.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.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

JACKSON

01-20-94



\$59.00
Real Estate
Excise Tax

Excise Tax \$59.00

NORTH CAROLINA
JACKSON COUNTY

The foregoing certificate of Sylvia J. Lyday, Notary
Public is certified to be correct. This instrument was presented for regis-

tration and recorded in this office in Book 850 at page 850

This 20th day of January, 19 94 4:08 P. M.

Register of Deeds Gerrit Bunnell

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.

Verified by County on the day of

by

Mail after recording to

This instrument was prepared by Max K. Holland, Attorney, P.O. Box 1905, Sylva, NC 28779

Brief description for the Index

QUALLA TOWNSHIP

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 20 day of January, 19 94, by and between

GRANTOR

GRANTEE

J. ROBERT VARNER
and wife,
CLARINE C. VARNER

SAM OWLE SR. VETERANS OF FOREIGN
WARS- Post 8013

P.O. Box 1373
Cherokee, NC 28719

Tax Assessor's Office

Date 1/20/94 Amo

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of QUALLA Township,

JACKSON

County, North Carolina and more particularly described as follows:

Being and comprehending Tract #6, containing 5.687 acres, as shown on a map or plat entitled "J. Robert Varner", drawing no. 226-137-B, dated July 28, 1981, by James T. Herron, RLS, and recorded in plat cabinet 3 slide 116, office of the Register of Deeds of Jackson County to which reference is hereby made for a more complete description as if fully set forth herein.

EXCEPTING AND RESERVING from the above described Tract #6, a tract of land containing 0.093 acre as conveyed by deed dated the day of January, 1982 from J. Robert Varner and wife, Clarine C. Varner to Jerry Payne and wife, Margaret V. Payne, recorded in Book 538 page 619, Jackson County Registry.

Being a portion of the lands and premises as conveyed and described by deed dated the 11th day of March, 1969 from Buford Ward and wife, Opal Ward to J. Robert Varner and wife, Clarine C. Varner, recorded in Book 336 Page 156, Jackson County Registry.

There is further conveyed to the grantee, its successors and/or assigns, the joint right to the use of the road right of way as described in Deed Book 346 page 168, Jackson County Registry, to which reference is hereby made for a more complete description as if fully set forth herein. Said right of way to be used for ingress and egress and for the purposes of inspecting, servicing and maintaining said road and right of way.

There is further conveyed to the grantee, its successors and/or assigns, and this instrument is made and given SUBJECT TO the joint rights of others in and to the sixty (60) foot road right of way for access road as shown on plat recorded in plat cabinet 3 slide 116, Jackson County Registry. Said right of way to be used for ingress and egress and for the purposes of inspecting, servicing and maintaining said road and right of way.

This instrument is further made and given SUBJECT TO those certain restrictions as set forth on plat recorded in plat cabinet 3 slide 116, Jackson County Registry.

There is further conveyed to the Grantee, its successors and/or assigns, the right to use jointly, the 16 foot right of way for existing roadway leading from US Highway 441, over the lands of Dorris Cochran, now or formerly, to the hereinabove described lands and as more particularly shown on plat recorded in plat cabinet 3 slide 116, Jackson County Registry. Said right of way for ingress and egress and for the purposes of inspecting, servicing and maintaining said road and right of way.

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

as stated herein

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

.....
(Corporate Name)

By:

..... President

ATTEST:

..... Secretary (Corporate Seal)

.....
(Corporate Name)

By:

..... President

ATTEST:

..... Secretary (Corporate Seal)

USE BLACK INK ONLY

J. Robert Varner (SEAL)
J. ROBERT VARNER

Clarine C. Varner (SEAL)
CLARINE C. VARNER

USE BLACK INK ONLY

..... (SEAL)

..... (SEAL)

..... (SEAL)

..... (SEAL)

..... (SEAL)

..... (SEAL)



NORTH CAROLINA, JACKSON County.

I, a Notary Public of the County and State aforesaid, certify that J. ROBERT VARNER
and wife, CLARINE C. VARNER Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 20 day of January, 1994
My commission expires: 6.28.94 Sylvia J. Gyley Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this day of 19
My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this day of 19
My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this day of 19
My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged that he is Secretary of
a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its
President, sealed with its corporate seal and attested by as its Secretary.
Witness my hand and official stamp or seal, this day of 19
My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged that he is Secretary of
a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its
President, sealed with its corporate seal and attested by as its Secretary.
Witness my hand and official stamp or seal, this day of 19
My commission expires: Notary Public

The foregoing Certificate(s) of
is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the
first page hereof.

REGISTER OF DEEDS FOR COUNTY
By Deputy/Assistant-Register of Deeds.

TAX MAP

