

Cherokee Council House  
Cherokee, North Carolina  
Date: \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ (2024)

*A resolution to void survey applications with Tribal Realty Services that are older than two years and have not been renewed by the applicant upon notice and publication in the Cherokee One Feather.*

WHEREAS, Tribal Realty Services Program (TRS) provides services to enrolled members of the Eastern Band of Cherokee Indians (EBCI) by drafting and recording their possessory interest holding transfers and other property interests; and

WHEREAS, in addition to these functions, TRS also contains the Tribal Survey Office and provides services to the EBCI's enrolled members to survey and flag their possessory holdings and carries out these requests through survey applications; and

WHEREAS, prior to the establishment of TRS in 2016, the Bureau of Indian Affairs Cherokee Agency (BIA) managed these functions; and

WHEREAS, Tribal Council enacted Resolution No. 478 (1998), which authorized the BIA to declare all survey applications that were dated prior to January 1, 1998, and were not renewed within thirty days after the date of notification to be null and void; and

WHEREAS, in addition, Resolution No. 478 required all survey applications submitted to the BIA after January 1, 1998, to be renewed annually by the applicant or else be declared void; and

WHEREAS, the BIA proposed this approach in order to promote efficiency and to reduce their backlog of survey requests that spanned many years that were never acted upon either due to the death of the applicant or a change of circumstances; and

WHEREAS, since Tribal Council enacted Resolution No. 478, neither the BIA nor TRS have enforced the intent of the resolution to void survey applications that are older than one year and have not been renewed; and

WHEREAS, in consultation with the Tribal Lands Committee on November 14, 2024, TRS has prepared this resolution to address the growing number of survey applications submitted to TRS that have become aged and inactive and have proposed that any survey application submitted to TRS that is two years or older and upon notification and publication in the Cherokee One Feather be considered void.

NOW THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians, at which a quorum is present that all survey applications old than two years shall be void provided that Tribal Realty Services public notice to the public in the Cherokee

1 One Feather and notify each individual applicant that they have thirty (30) days to  
2 renew their survey application. If the applicant does not renew their application  
3 within thirty (30) days upon receiving written notice from Tribal Realty Services,  
4 then such survey application shall be declared void.  
5

6 BE IT FURTHER RESOLVED that Tribal Realty Services shall notify the survey applicants by  
7 mailing to the last known address of the applicant, if such applicant is living and  
8 their address is known, that any survey application prepared by either the Bureau  
9 of Indians Affairs or Tribal Realty Services must be renewed before July 1, 2024,  
10 and those remaining that have not been renewed after July 1, 2024, that are older  
11 than two years will be declared null and void and a new application would need to  
12 be filed to have their possessory holding surveyed.  
13

14 BE IT FINALLY RESOLVED that all other resolutions in conflict with this resolution are hereby  
15 rescinded and Tribal Realty Services is authorized to carryout out the intent of this  
16 resolution.  
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18 Submitted by: Cruz Galaviz, Director of the Tribal Realty Services Office