

1  
2 **PASSED**  
3  
4  
5

**APR 02 2024**

Date

6  
7 RESOLUTION NO. 151 (2024)  
8

9 *A resolution for the Estate of Albert Jackson Bowman*

10  
11 WHEREAS, Albert Jackson Bowman (deceased February 4, 2022), enrolled member of the  
12 Eastern Band of Cherokee Indians left a Last Will and Testament, dated September  
13 7, 2004; and  
14

15 WHEREAS, Kevin Jackson Bowman qualified as the Executor of the Estate of Albert Jackson  
16 Bowman in Cherokee Court Estate File No. 22-054; and  
17

18 WHEREAS, the Tribal Realty Office has examined the deceased's Will, the records on file  
19 regarding the deceased's possessory holdings in Tribal trust land, and other  
20 documents, and has written this resolution so that Tribal Council may confirm the  
21 Last Will and Testament of the deceased and to provide for the distribution of the  
22 deceased's possessory holdings to their eligible heirs.  
23

24 NOW, THEREFORE, BE IT RESOLVED by the Eastern Band of Cherokee Indians in Council  
25 Assembled, at which a quorum is present that the Tribal Council of the Eastern  
26 Band of Cherokee Indians does hereby confirm the Last Will and Testament of  
27 Albert Jackson Bowman dated September 7, 2004.  
28

29 BE IT FURTHER RESOLVED that **Snowbird Community Parcel No. 126 (Part of Parcel No.**  
30 **86 or Tract No. 92)**, containing 0.976 Acres, more or less, together with all  
31 improvements located thereon, be assigned to Brodie Seth Bowman (enrolled).  
32

33 BE IT FURTHER RESOLVED that **Snowbird Community Parcel No. 228 (Part of Parcel No.**  
34 **86)**, containing 7.179 Acres, more or less, be assigned to Brodie Seth Bowman  
35 (enrolled).  
36

37 BE IT FURTHER RESOLVED that **Snowbird Community Parcel No. 86-C (Part of Parcel No.**  
38 **86)**, containing 0.339 Acres, more or less, be assigned to Brodie Seth Bowman  
39 (enrolled).  
40

41 BE IT FURTHER RESOLVED that the rest, remainder and residue of any possessory holdings in  
42 the estate shall be assigned to Kevin Jackson Bowman (First Generation  
43 Descendant) as stated in the residuary clause of the will.  
44

45 BE IT FINALLY RESOLVED that the Tribal Business Committee and Tribal Realty Services are  
46 hereby authorized to carry out the intent of this resolution.  
47

48 *Submitted by: Michelle Ruffman on behalf of Tribal Realty Services.*  
49

ADDRESSES

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8 Kevin Jackson Bowman
- 9 Post Office Box 695
- 10 Bryson City, North Carolina 28713
- 11
- 12 Brodie Seth Bowman
- 13 RR#12729
- 14 Post Office Box 737
- 15 Cherokee, North Carolina 28719

**EASTERN BAND OF CHEROKEE INDIANS**

File No.

EST 22-054

Cherokee, North Carolina

EBCI  
CHEROKEE TRIBAL COURT  
CHEROKEE, NC

In The Cherokee Court  
Before the Clerk

IN THE MATTER OF THE ESTATE OF:

2022 APR 22 P 1:20

Name

ALBERT JACKSON BOWMAN

FILED

LETTERS

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

KEVIN BOWMAN  
P.O. BOX 695

BRYSON CITY NC 28713

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

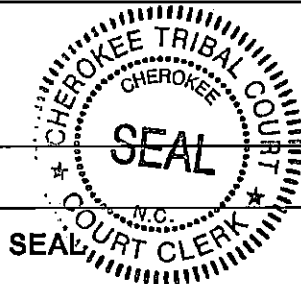
Signature

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)

**EASTERN BAND OF CHEROKEE INDIANS**

File No.

**EST 22-054**

Cherokee, North Carolina

EBCI  
CHEROKEE TRIBAL COURT  
CHEROKEE, NC

In The Cherokee Tribal Court  
Before The Clerk

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

Name Of Decedent

2022 APR 22 P 2:43

**ALBERT JACKSON BOWMAN**

**FILED**

**CERTIFICATE OF PROBATE**

Date Of Purported Will

09/07/2004

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

04/22/2022

Signature

*Amy M. Vesquez*

Assistant Clerk

Clerk Of Court

**EASTERN BAND OF CHEROKEE INDIANS**

File No. **EST 22-054**

Cherokee, North Carolina

CHEROKEE TRIBAL COURT  
CHEROKEE, NC

**The Cherokee Court**

Before the Clerk

2022 AUG 24 P 12:14

**IN THE MATTER OF THE ESTATE OF**

Decedent:

**ALBERT JACKSON BOWMAN**

**FILED**

**Heir Information**

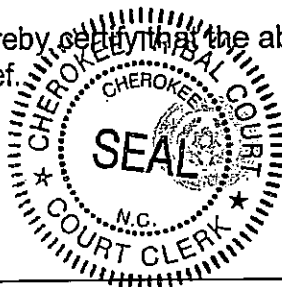
R00245

DOD: 2/4/22

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	No surviving spouse	N/A	N/A
Surviving child	Kevin Jackson Bowman	18+	Not enrolled
Deceased child	Tracy Shane Bowman	18+	Not enrolled
Surviving enrolled children of Kevin Jackson Bowman	Brodie Seth Bowman	01/09/2000	R12729
Deceased enrolled children of Kevin Jackson Bowman	Tyler Shane Bowman	12/05/1993	R10407
Surviving children of Tracy Shane Bowman	Kade Bowman Reed Bowman Pace Bowman		Not enrolled Not enrolled Not enrolled
Surviving siblings	Shirley Rose Greene	02/22/1933	R00961
Deceased siblings	Arthur Ray Bowman	03/16/1929	R00247
	Robert Leon Bowman	01/30/1931	R00255
	Mary Ida Elliott	02/26/1935	R00825
	James Claude Bowman	02/13/1937	R00252
	Grace Helen Hill	09/26/1939	R00250

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



*Amy M. Vasey*  
Clerk of Court by Assistant Clerk

*8/24/22*  
Date

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)

## Last Will and Testament

ALBERT JACKSON BOWMAN RR#0245 Age 61 DOB: 10/14/42

I, ALBERT JACKSON BOWMAN 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 possessory holding described as Graham County Parcel No. 126 (Part of Parcel No. 86 of Tract No. 92), containing 0.976 acre, more or less, together with all improvements located thereon, to my grandsons, Tyler Shane Bowman, RR#10407 and Brodie Seth Bowman, RR#12729, subject to a Life Estate for my sons, Tracy Shane Bowman, DOB 11/11/68 and Kevin Jackson Bowman, DOB 09/21/71, who are First Generation Descendants, in accord with Cherokee Code Section 28-2.

THIRD: I give, devise and bequeath my Possessory Interest in Graham County Parcel No. 228 (Part of Parcel No. 86), containing 7.179 acres, more or less, to my grandsons, Tyler Shane Bowman, RR#10407 and Brodie Seth Bowman, RR#12729, subject to a Life Estate for my sons, Tracy Shane Bowman, DOB 11/11/68 and Kevin Jackson Bowman, DOB 09/21/71, who are First Generation Descendants, in accord with Cherokee Code Section 28-2.

FOURTH: I give, devise and bequeath my Possessory Interest in Graham County Parcel No. 86-C (Part of Parcel No. 86), containing 0.339 acre, more or less, to my grandsons, Tyler Shane Bowman, RR#10407 and Brodie Seth Bowman, RR#12729, subject to a Life Estate for my sons, Tracy Shane Bowman, DOB 11/11/68 and Kevin Jackson Bowman, DOB 09/21/71, who are First Generation Descendants, in accord with Cherokee Code Section 28-2.

FIFTH: I give, devise and bequeath my Possessory Interest in Painttown Community Parcel No. 122-B (Part of Parcel No. 122), containing 0.501 acre, more or less, to my sons, Tracy Shane Bowman, DOB 11/11/68 and Kevin Jackson Bowman, DOB 09/21/71, First Generation Descendants, in accord with the Cherokee Code, Section 28-2.

SIXTH: I give, devise and bequeath any other real property that may come to me through will, devise, bequest, gift or sale to my sons, Tracy Shane Bowman, DOB 11/11/68 and Kevin Jackson Bowman, DOB 09/21/71, First Generation Descendants, in accord with the Cherokee Code, Section 28-2.

SEVENTH: I hereby appoint my brother, Jim Bowman, as 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 Jim Bowman predecease me or is not able to perform the duties of Executor, then in that event, I appoint my sister Shirley Bowman as Executrix of my Last Will and Testament to see that my wishes are carried out, and I desire that she serve without bond being required of her.

All of the rest and remainder of my personal property, I hereby give, devise and bequeath to my sons, Tracy Shane Bowman, DOB 11/11/68 and Kevin Jackson Bowman, DOB 09/21/71, First Generation Descendants, in accord with the Cherokee Code, Section 28-2.

In witness whereof, I, Albert-Jackson Bowman, hereunto set my hand, sealed, published, and declared this to be my Last Will and Testament, this 7th day of September, in the year of our Lord Two Thousand Four.

Witnesses:

*Alexander Hornbuckle*  
Alexander Hornbuckle  
Residing at Cherokee, NC  
*Albert Jackson Bowman (U.S.)*  
ALBERT JACKSON BOWMAN

*Jeremiah Littlejohn*  
Jeremiah Littlejohn  
Residing at Cherokee, NC

The foregoing instrument of writing was here and now signed ALBERT JACKSON BOWMAN in our presence, and at his request and in the presence of each other we have signed as witnesses and he has published and declared this to be his Last Will and Testament.

*Alexander Hornbuckle*  
Alexander Hornbuckle  
Residing at Cherokee, NC

*Jeremiah Littlejohn*  
Jeremiah Littlejohn  
Residing at Cherokee, NC

United States  
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

in accordance with the Order of even date herewith: Done at the City of \_\_\_\_\_

Examiner of Inheritance

Instructions to Field Officers

1. The testator may sign by thumb mark. The witnesses 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. Red 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.

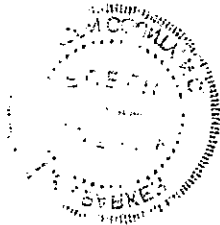
United States  
Department of the Interior  
Bureau of Indian Affairs

State of North Carolina

ss. Affidavit to Accompany Indian Will

County of Swain

I, ALBERT JACKSON BOWMAN, 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 7th day of September, 2004, I requested Alexander Hornbuckle and Jeremiah Littlejohn 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.



Albert Jackson Bowman  
ALBERT JACKSON BOWMAN  
RR # 0245

We, Alexander Hornbuckle and Jeremiah Littlejohn each being first duly sworn, on oath depose and state: That on the 7th day of September, 2004, ALBERT JACKSON BOWMAN, a member of the Eastern Cherokee Tribe of Indians in the State of North Carolina, published and declared that attached instrument to be his 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 request, signed the same as witnesses in his presence and in the presence of each other; that said testator 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 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.

Alexander Hornbuckle  
Alexander Hornbuckle

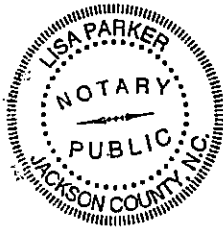
Jeremiah Littlejohn  
Jeremiah Littlejohn



I, Diane B. Hyatt, being first duly sworn on oath depose and say: That I am employed as a Realty Specialist at the Cherokee Agency in the state of North Carolina, that on the 7th day of September, 2004, ALBERT JACKSON BOWMAN, an enrolled member of the Eastern Cherokee Tribe of Indians in the state of North Carolina requested me to prepare his last will and testament; that I prepared the attached will and read (or had read by the interpreter) said will to testator and he then stated that said instrument was drawn in accordance with his own wishes as previously stated to me; that said testator 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 estate by will; that he signed and published and declared it to be his last will and testament before Alexander Hornbuckle and Jeremiah Littlejohn whom he requested to act as witnesses thereto, that there were present in the room with the testator at said time besides myself and the above named witnesses, the following named persons: \_\_\_\_\_

Diane B. Hyatt  
Diane B. Hyatt

Subscribed and sworn to before me this 7th day of September, 2004, by Albert Jackson Bowman, Alexander Hornbuckle, Jeremiah Littlejohn & Diane B. Hyatt.



Kim Parker

Notary Public  
(Title)

My Commission expires: 2-12-09

FILED  
JUL 14 2004  
FBI  
CHEROKEE TRIBAL COURT  
CHEROKEE, NC

CERTIFICATION OF VITAL RECORD

STATE OF NORTH CAROLINA
SWAIN COUNTY
OFFICE OF REGISTER OF DEEDS

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

STATE FILE NO.

Form containing fields for decedent's legal name (Albert Jackson Bowman), sex (Male), age (79), date of birth (OCT 14 1942), place of death (Nursing Home/Long term care facility), marital status (Divorced), usual occupation (Self Employed), education (Bachelor's degree), cause of death (Metastatic Bladder Cancer, Presumed), and certifier information (Elaina Or-Honeycutt, DO).

This is to certify that this is a true and correct reproduction or abstract of the official record filed in this office.

Diana Williamson Kirkland
Register of Deeds
Swain County

Witness my hand and official seal

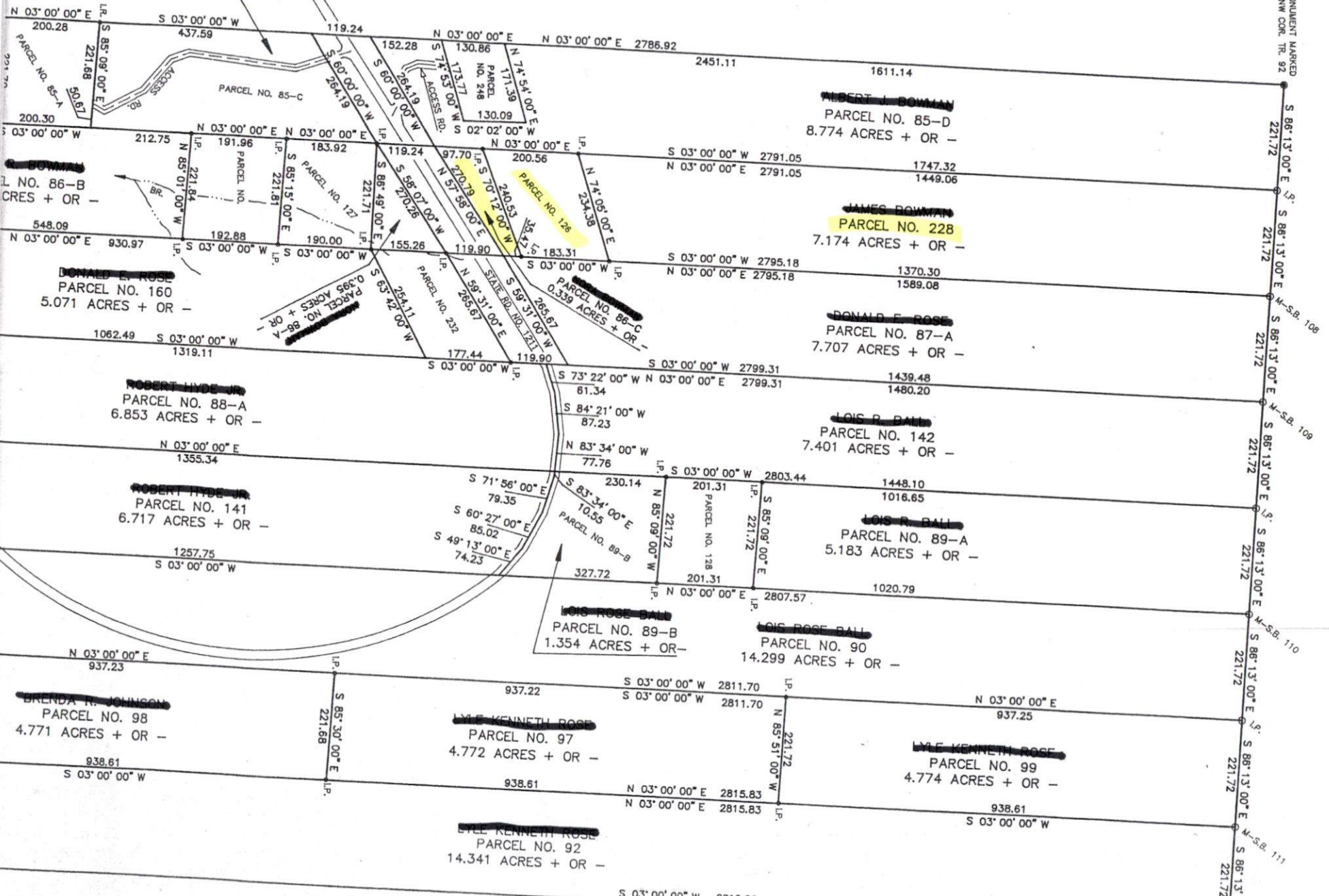
this the 23rd day of February, 2022 By: Lisa Coday
Deputy/Assistant Register of Deeds

Any alterations or erasures voids this certificate. Do not accept unless on security paper with Registrar of Deeds seal clearly embossed in left corner.





~~GRACE G. LILES~~  
PARCEL NO. 85-C  
2.601 ACRES + OR -



PARCEL NO. 85-A  
200.28  
200.30  
1/2" LR. S 85° 08' 00" E  
221.68  
50.61

~~ROBERT J. BOWMAN~~  
PARCEL NO. 86-B  
8.774 ACRES + OR -

~~DONALD E. ROSE~~  
PARCEL NO. 160  
5.071 ACRES + OR -

~~ROBERT HYDE JR.~~  
PARCEL NO. 88-A  
6.853 ACRES + OR -

~~ROBERT HYDE JR.~~  
PARCEL NO. 141  
6.717 ACRES + OR -

~~BRENDA R. JOHNSON~~  
PARCEL NO. 98  
4.771 ACRES + OR -

~~LYLE KENNETH ROSE~~  
PARCEL NO. 97  
4.772 ACRES + OR -

~~LYLE KENNETH ROSE~~  
PARCEL NO. 99  
4.774 ACRES + OR -

~~LYLE KENNETH ROSE~~  
PARCEL NO. 92  
14.341 ACRES + OR -

~~ROBERT J. BOWMAN~~  
PARCEL NO. 85-D  
8.774 ACRES + OR -

~~JAMES BOWMAN~~  
PARCEL NO. 228  
7.174 ACRES + OR -

~~DONALD E. ROSE~~  
PARCEL NO. 87-A  
7.707 ACRES + OR -

~~LOIS R. BALL~~  
PARCEL NO. 142  
7.401 ACRES + OR -

~~LOIS R. BALL~~  
PARCEL NO. 89-A  
5.183 ACRES + OR -

~~LOIS ROSE BALL~~  
PARCEL NO. 89-B  
1.354 ACRES + OR -

~~LOIS ROSE BALL~~  
PARCEL NO. 90  
14.299 ACRES + OR -

~~LYLE KENNETH ROSE~~  
PARCEL NO. 97  
4.772 ACRES + OR -

~~LYLE KENNETH ROSE~~  
PARCEL NO. 99  
4.774 ACRES + OR -

~~LYLE KENNETH ROSE~~  
PARCEL NO. 92  
14.341 ACRES + OR -

MONUMENT MARKED  
NW COR. TR. 92  
S 86° 13' 00" E 221.72  
S 86° 13' 00" E 221.72  
M-S.B. 108  
S 86° 13' 00" E 221.72  
M-S.B. 109  
S 86° 13' 00" E 221.72  
S 86° 13' 00" E 221.72  
M-S.B. 110  
S 86° 13' 00" E 221.72  
M-S.B. 111  
S 86° 13' 00" E 221.72

S 03° 00' 00" W 2812.22

The attached Resolution/Ordinance No. 151 dated APRIL 2, 2024 was:

PASSED ( X )

KILLED ( )

and ratified in open Council on APRIL 2, 2024 by 100 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			
	100	0	0	0

*Mike Parker*

TRIBAL COUNCIL CHAIRMAN

*Michelle Thompson*

ENGLISH CLERK

*Michael White*

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 ( )