

Cherokee Council House  
Cherokee, North Carolina 28719

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(DATE)

Resolution No. \_\_\_\_\_ 2018

- WHEREAS, Parcel No. 70 Cherokee Village Community was the property owned by Will John Wayne (deceased) who left Parcel No. 70 to his sole heir, his daughter, Agnes Wayne Catolster, wife of Johnson Catolster; and,
- WHEREAS, Parcel No. 70 was inherited by the three daughters of Johnson and Agnes Wayne Catolster: Sarah Wayne Catolster, Mary Alyne Catolster Eslinger and Phyllis Catolster Haumpty; and,
- WHEREAS, A Transfer of Possessory Interest of Mary Alyne Catolster Eslinger to Mary Ann Gloyne Wachacha for Cherokee Village Community Parcel No. 70 containing 57.590 acres, more or less, undivided Interest was approved by the Tribal Business Committee on November 5, 2015; and,
- WHEREAS, A Transfer of Possessory Interest of Sara Catolster to Mary Ann Gloyne Wachacha for Cherokee Village Community Parcel No. 70 containing 57.590 acres undivided Interest was approved by the Tribal Business Committee on November 5, 2015; and,
- WHEREAS, These Transfers of Possessory Interest to Mary Ann Gloyne Wachacha result in Mary Ann Gloyne Wachacha owning two-thirds of Parcel No. 70; and,
- WHEREAS, Phyllis Catolster Haumpty heir, Jana Haumpty, continues to own one-third of Cherokee Village Community Parcel No. 70; and,
- WHEREAS, Mary Ann Gloyne Wachacha contacted Jana Haumpty on March 29, 2016 and received a response from Jana Haumpty on March 29, 2016 and Mary Ann Gloyne Wachacha responded to Jana Haumpty's question on March 30, 2016;
- WHEREAS, The Tribal/BIA Realty Division attempted to contact Jana Haumpty between March 30, 2016 and April 27, 2016 with no response; and
- WHEREAS, Mary Ann Gloyne Wachacha again contacted Jana Haumpty on April 27, 2016 with no response from Jana Haumpty; and,
- WHEREAS, Mary Ann Gloyne Wachacha again contacted Jana Haumpty on January 24, 2017 with a response from Jana Haumpty on January 27, 2017 that she would be unable to sell her share of Parcel No. 70 due to the fact of her health status and Social Security; and,

- WHEREAS, On March 21, 2017, Mary Ann Gloyne Wachacha stated to Jana Haumpty that if she was not able to sell her interest, would Jana Haumpty sign paperwork necessary for Mary Ann Gloyne Wachacha to start the building of a house on Mary Ann Gloyne Wachacha's two-third interest ; and,
- WHEREAS, On May 21, 2017, May 31, 2017, June 1, 2017 and October 4, 2017, Mary Ann Gloyne Wachacha contacted Jana Haumpty asking Jana Haumpty to contact BIA/Tribal Realty concerning road right-of-way, drawing of lots of Parcel No.70 with no response from Jana Haumpty; and
- WHEREAS, It is now two-years and two months since Mary Ann Gloyne Wachacha and the BIA/Tribal Realty Division first contacted Jana Haumpty; and,
- WHEREAS, Despite repeated attempts to contact Jana Haumpty, Mary Ann Gloyne Wachacha continues to wait for the division of Parcel 70; and,

NOW, THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians in Annual Council assembled, at which a quorum is present, that the Tribal Council:

- 1) Assist in the division of 70 Cherokee Village Community Parcel No. 70; and
- 2) direct the Tribal Lands Committee to investigate and develop, in conjunction with Mary Ann Gloyne Wachacha and Jana Haumpty, the division of 70 Cherokee Village Community Parcel No.70;
- 3) if there is no response within a specific time frame set by the Tribal Lands Committee from Jana Haumpty, then complete the division of Cherokee Village Community Parcel No. 70 without the signature of Jana Haumpty with Jana Haumpty retaining ownership of her one-third interest in Parcel No. 70.

BE IT FURTHER RESOLVED, that the Principal Chief is the authority designated to carry out the intent of this resolution.



Submitted by: Mary Gloyne Wachacha  
January 18, 2018