

TABLED

CHEROKEE COUNCIL HOUSE

CHEROKEE, NORTH CAROLINA

OCT 18 2018

RESOLUTION NO. 395 (2018)

WHEREAS, I, Jacob Ivey hereby request that Tribal Council prove ownership of right-of-way on parcel 37, belonging to Mabelle McDonald (deceased)

WHEREAS I, Jacob Ivey being the administrator of the estate hereby convey the verbal wishes of my mother concerning the right-of-way on parcel 37 in that I was instructed to collect any monetary value of property lost to the right-of-way; involving power lines right-of-way; that runs through 2 ¼ acres, more or less, of parcel 37.

WHEREAS attached is a copy of right-of-way signed by Mabelle McDonald, dated April 27, 1979. This documentation is in question as to whether she authentically signed it, she stated she did not. Also attached is a copy of possessory holding transferred to Jacob Ivey for parcel 77, which is part of parcel 37 containing 0.998 acres on December 7, 1977, which she stated she did sign and to which I witnessed her sign on the same date. This is my homesite today. Therefore, I, Jacob Ivey own the said right-of-way.

WHEREAS Jacoby Ivey has built 1 retaining wall consisting of 850 ft, not completed due to financial difficulty. Existing wall is supporting right-of-way in which EBCI is preparing to pave over top of and claim to own 60 feet right-of-way. This brings portion of right-of-way through my home and I request Council grant me monetary value of the wall.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians in Annual Council assembled, in which a quorum is present grant Jacob Ivey monetary value of the wall.

BE IT FINALLY RESOLVED that the Principal Chief of the Eastern Band of Cherokee Indians is authorized to carry out the intent of this resolution, which shall remain in effect until implemented or rescinded.

Submitted by: Jacob Ivey