

**CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA**

Date: _____

RESOLUTION NO.: _____ (2019)

WHEREAS, a bridge (identified as Bridge #036) located on Cherokee County Parcel Nos. 149-B and 149-C and Webb Creek Road has fallen into disrepair, and a new bridge needs to be constructed to take its place; and

WHEREAS, North Carolina Department of Transportation (NCDOT) is offering to construct the new bridge on Webb Creek Road in Cherokee County as well as reinforce the banks; and

WHEREAS, in order to construct the new bridge NCDOT requires multiple Right-of-Way's (R/W) and easements on the possessory holdings; more specifically: a R/W on Cherokee County Parcel No. 149-C consisting of 0.229 acres; and a R/W consisting of 0.232 acres, a permanent drainage easement of 0.010 acres, and a temporary construction easement of 0.158 acres on Cherokee County Parcel No. 149-B; and

WHEREAS, descriptions of these R/W's and easements, and NCDOT's contingent offer of \$3,650.00 to be paid to, and shared by, the possessory holders are attached to this resolution (four pages in total); and

WHEREAS, Cherokee County Parcel Nos. 149-B and 149-C are owned by Sarah Martin and Wesley Martin, both of whom have consented to the R/W's and easements.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians, in Council assembled at which a quorum is present, that NCDOT be granted the following R/W's and easements: a R/W consisting of 0.229 acres across Cherokee County Parcel No. 149-C; and a R/W consisting of 0.232 acres, a permanent drainage easement of 0.010 acres, and a temporary construction easement of 0.158 acres across Cherokee County Parcel No. 149-B, as shown on the attachments.

BE IT FURTHER RESOLVED that the sum of \$3,650.00 that NCDOT shall pay for the R/W's and easements in this resolution be paid in equal shares directly by NCDOT to Sarah Martin and Wesley Martin, or to the EBCI and then to Sarah Martin and Wesley Martin.

BE IT FURTHER RESOLVED that the Business Committee is authorized to carryout the intent of this resolution.

47 BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are
48 rescinded, and that this resolution shall become effective when ratified by the
49 Principal Chief.
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Submitted by CDOT on behalf of Sarah Martin and Wesley Martin