

Cherokee Council House
Cherokee, North Carolina
July , 2018

RESOLUTION NO. _____ (2018)

WHEREAS, the Eastern Band of Cherokee Indians, a federally recognized Indian tribe seeks the continued development of its casino facility in Cherokee, North Carolina; and

WHEREAS, the Cherokee Tribal Council has authority to regulate and oversee all Tribal enterprises including the Tribal Casino Gaming Enterprise; and

WHEREAS, the Tribal Casino Gaming Enterprise (TCGE) was created and established in the public interest to provide a business operational plan which can most effectively and efficiently direct the Casino’s gaming operations and the Hotel associated therewith for business purposes; and

WHEREAS, the Eastern Band of Cherokee Indians is the owner of the possessory interest in and to that 4.772 acre tract of land, lying and being in Painttown Community, identified as Parcel Numbers 74-C, 74-E, 74-F, 74-G, and 74-H, said parcels having been purchased from Norma Rae Hardin and Ursula Anne Hardin Maunder in February, 2018 by a Contract for Purchase and Sale of Possessory Interest. Pursuant to said Contract the Sellers were required to vacate the premises within six months after closing; and

WHEREAS, the TCGE Board of Advisors has determined that it is in the Tribe’s best interest of continued development of the Casino and Hotel to obtain the usage rights to said parcels from the Tribe, said parcels being contiguous to the current Casino & Hotel facilities;

WHEREAS, the TCGE requests that Tribal Council transfer all usage rights to said parcels to the TCGE for the use and benefit of the Casino operations.

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 the usage rights to Parcel Numbers 74-C, 74-E, 74-F, 74-G, and 74-H in Painttown Community shall be transferred to the TCGE for continued development of the Casino and Hotel operations. The transfer of the usage rights to the TCGE shall occur immediately upon the occurrence of the following two events:

1. The prior owners of said tract have vacated the premises as reserved in said Contract; and
2. All buildings and debris have been removed from said tract.

BE IT FINALLY RESOLVED THAT this resolution shall be effective upon ratification by the Principal Chief.

Submitted by: TCGE Board of Advisors.