

Committee: Executive & Finance  
Date: 5-27-10 Committee Date: 5-27-10

Author: D. Evans, M. Knight  
Sponsor: Bill John Baker, Cara Cowan Watts

**RESOLUTION NO. 53-10**

**COUNCIL OF THE CHEROKEE NATION**

**AMENDED RESOLUTION AUTHORIZING THE SALE OF INHERITED PROPERTY  
IN THE STATE OF CALIFORNIA, AND AUTHORIZING THE PLEDGE OF CREDIT  
OF THE CHEROKEE NATION ASSOCIATED WITH THE INHERITED PROPERTY**

**WHEREAS**, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

**WHEREAS**, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

**WHEREAS**, Cherokee Nation has inherited a condominium in the State of California by virtue of the Last Will and Testament of Elsie Wood Myer through The Elsie Wood Myer Living Trust. The property is Unit 6E located at 1001 Genter Street, #6E, La Jolla, California 92037;

**WHEREAS**, the property has an existing mortgage to Chase Bank in the amount of \$158,100 which will be assumed by Cherokee Nation as the recipient of the property;

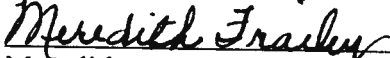
**WHEREAS**, pledges of credit for any loans require approval by the Council in accordance with Article X Section 7 of the Constitution and Title 62, Section 61 and Section 62 of the Cherokee Nation Code (62 CNCA Sections 61-62); and

**WHEREAS**, the Cherokee Nation approved Resolution No. 25-10 on March 15, 2010, allowing for the property to be sold. Cherokee Nation requests to have the Resolution amended in order for the property to be preserved by allowing the payment of mortgage and fees currently applicable to the property until such time as the property is sold.


**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Tribal Council hereby approves the pledge of credit necessary to pay the existing mortgage on the inherited property and that the Principal Chief of the Cherokee Nation, Chadwick Smith, and/or his authorized designee(s) be authorized to sell said parcel of land, and to pay mortgage and other fees applicable to the property until such time it is sold.

**CERTIFICATION**


The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 14<sup>th</sup> day of June, 2010, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

  
Meredith A. Frailey, Speaker  
Council of the Cherokee Nation

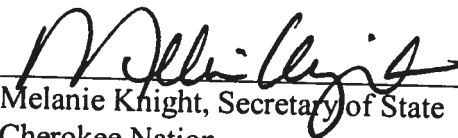
**ATTEST:**

  
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Don Garvin, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 21<sup>st</sup> day of JUNE, 2010.

  
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Chadwick Smith, Principal Chief  
Cherokee Nation

**ATTEST:**

  
\_\_\_\_\_  
Melanie Knight, Secretary of State  
Cherokee Nation