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0159

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Land Map 17 R.4

STATE OF NORTH CAROLINA—SWAIN COUNTY

(DOCUMENTARY STAMPS ATTACHED \$1.65)

THIS DEED, Made this 24 day of January, 1944, by and between

CLAUDE BURNS and wife, EVA BURNS,

of the County of Swain and State of North Carolina, as parties of the first part, and the UNITED STATES OF AMERICA as party of the second part: WITNESSETH, That the said parties of the first part, in consideration of the sum of ONE THOUSAND ONE HUNDRED SEVEN AND 30/100 - - - - - Dollars (\$1,107.30) to them paid by the party of the second part, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the UNITED STATES OF AMERICA, its successors and assigns, a certain tract or parcel of land, situate, lying and being in Swain County, State of North Carolina, and more particularly described as follows, to-wit:

A tract of land lying in Charleston Township of Swain County, State of North Carolina, on the right side of the Tuckasegee River, approximately 1 7/8 miles east of the mouth of Noland Creek, and more particularly described as follows:

Beginning at a stake at a fence corner, a corner of the lands of the Nantahala Power & Light Company, and J. H. Holden; thence with J. H. Holden's line and a fence line N. 89° 00' E., 265 feet to a 6 inch holly tree; thence N. 65° 00' E., 40 feet to a stake at the top of a ridge; thence with a fence line at the top of the ridge as it meanders approximately along the following bearings and distances; S. 87° 00' E., 55 feet, N. 86° 00' E., 495 feet, N. 65° 00' E., 450 feet to a 7 inch black oak tree, a corner of the lands of H. H. Holden, and John Burns; thence, leaving the fence line with John Burns' line and the top of a ridge as it meanders approximately along the following bearings and distances; S. 6° 00' E., 515 feet, S. 45° 00' W., 160 feet, S. 70° 00' W., 225 feet, S. 46° 00' W., 330 feet, S. 49° 00' W., 620 feet, S. 78° 00' W., 85 feet to a point, a corner of the lands of John Burns, and the Nantahala Power & Light Company; thence, leaving the ridge, with the Company's line N. 22° 00' E., 210 feet to a double 1 1/4 inch chestnut stump; thence N. 67° 00' W., 63 feet, crossing Middle Peachtree Creek, to a point (prev. desc. as a rock) in the center line of a road; thence with the center line of the road N. 21° 00' E., 420 feet to a point (prev. desc. as an iron pipe); thence, leaving the road, S. 79° 00' W., 45 feet to a white oak stump; thence with a fence line for the last approximate 270 feet N. 66° 00' W., 305 feet to a stake at a fence corner; thence, leaving the fence line, N. 4° 00' W., 265 feet to a point (prev. desc. as a stake); thence N. 50° 00' E., 68 feet to the point of beginning, and containing 20.8 acres, more or less.

It is understood and agreed that this conveyance is made subject to such rights as may be vested in the county or state to a right of way for a public road.

It is further understood and agreed that the bearings given in the above description are based on the North Carolina State Coordinate System, Lambert Projection, as established by the U. S. Coast and Geodetic Survey. The central meridian for this coordinate system is located at Longitude 79° 00' W.

Being the same property conveyed to the parties of the first part by deed from H. F. McLean et ux et al, dated December 21, 1940, recorded in Deed Book 64, page 171, in the office of the Register of Deeds for Swain County, North Carolina.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereto belonging, to the UNITED STATES OF AMERICA, its successors and assigns, to its own use and behoof forever. And the said parties of the first part, for them selves, their heirs, successors, administrators and assigns, covenant with the said party of the second part, its successors and assigns that they are seized of said land and premises in fee, and have right to convey the same in fee simple; that the same are free and clear from all encumbrances and that they will warrant and defend the title to same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals this the day, month and year above written.

| | | | |
|--------|--------|-----------------|--------|
| (Seal) | (Seal) | s/ Claude Burns | (Seal) |
| (Seal) | (Seal) | CLAUDE BURNS | (Seal) |
| (Seal) | (Seal) | s/ Eva Burns | (Seal) |
| (Seal) | (Seal) | EVA BURNS | (Seal) |
| (Seal) | (Seal) | | (Seal) |

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, H. J. Truett, a Clerk Superior Court for said County and State, do hereby certify that CLAUDE BURNS and EVA BURNS, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Eva Burns, wife of Claude Burns, being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, does state that she signed the same freely and voluntarily, without fear or compulsion of her said husband or any other person, and that she does still voluntarily assent thereto. Let this instrument, with the certificate, be registered.

WITNESS my hand and official seal this 24 day of January, A.D., 1944.
(SEAL AFFIXED)

H. J. Truett, Clerk Superior Court

Filed for registration on the 24 day of January, 1944, at 12:01 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 24 day of January, 1944, at 3:40 o'clock P. M. in Book 67 of Deeds, and Page 159, etc.

H. J. Truett
Deputy Register of Deeds.
Swain County, N.C.