

STATE OF NORTH CAROLINA
SWAIN COUNTY

(DOCUMENTARY STAMPS \$3.30 ATTACHED)

THIS DEED, Made this 29 day of August, 1944, by and between LIZZIE DeHART, unmarried; COBURN DeHART and wife, MARGARET DeHART; LOCKE WOODARD and wife, WILMA NELSON WOODARD; JAMES DeHART and wife, ODESSA JACKSON DeHART; STACEY DeHART COLEMAN and husband, JULIUS COLEMAN; and RESSIE DeHART, wife of Clarence DeHart; all of Swain County, North Carolina; JESSE DeHART and wife, EMMA DeHART, of Buncombe County, N. C.; RUBE DeHART, unmarried, of Wayne County, Michigan; THELMA BLAKELY and husband, HARRY BLAKELY, of Cape May County, New Jersey; MARY DeHART CARSON, unmarried, and CLARENCE DeHART, husband of Ressie DeHart, of Allegheny County, Pennsylvania; 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 TWO THOUSAND NINE HUNDRED NINETY-NINE AND 62/100 Dollars (\$2,999.62) 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 1-1/2 miles southeast of the confluence of Indian Creek and Noland Creek, and more particularly described as follows:

Beginning at a point at the top of a ridge, a corner of the lands of A. E. Bradshaw, and Charley C. McLean, and the most southerly point of the tract herein described; thence with Charley C. McLean's, and Ben Lollis et ux's line and the top of a ridge as it meanders in a northerly direction approximately along the following bearings and distances: N. 19° 00' W., 3030 feet, N. 1° 00' W., 260 feet, N. 48° 00' W., 550 feet to a 2 $\frac{1}{4}$ inch white oak stump at an intersection of ridges, due north, 900 feet to a point, a corner of the lands of Ben Lollis et ux, and Miley Woodard; thence, leaving the ridge and with Miley Woodard's line S. 78° 00' E., 650 feet to an 18 inch ash tree; thence S. 46° 00' E., 260 feet to an 8 inch lynn tree; thence S. 66° 00' E., 1210 feet to a stake; thence N. 73° 00' E., 560 feet, crossing Peachtree Creek at approximately 60 feet, to a point; thence S. 20° 30' E., 250 feet to a pine stump at the top of a ridge, a corner of the lands of Miley Woodard, and A. E. Bradshaw; thence with A. E. Bradshaw's line S. 20° 30' E., 2750 feet to a stake, a corner of the lands of A. E. Bradshaw, and Julia Burns; thence with Julia Burns', and A. E. Bradshaw's line S. 67° 30' W., 2350 feet, passing a stake at 1280 feet and crossing Peachtree Creek at 1325 feet, to the point of beginning, and containing 190. acres, more or less, subject to such rights as may be vested in the county or state to rights of way for public roads.

It is 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.

The above described tract of land was acquired by parties of the first part as follows: Jesse DeHart acquired an undivided 5/12 interest by virtue of the deaths intestate and without issue of Alford DeHart, Amanda DeHart, Henry DeHart, Eliza DeHart Hill, Thomas DeHart, and Thomas Bryson (W. T. DeHart), the death intestate of Ruffin DeHart, and the deed from Y. C. McLean et ux et al, dated October 10, 1913, and recorded in Book 39, page 567, and the deed from Lizzie DeHart, dated November 15, 1919, and recorded in Book 68, page 249, in the office of the Register of Deeds of Swain County, N. C.; Locke Woodard acquired an undivided 7/24 interest by virtue of the deed from John DeHart et ux, recorded in Book 64, page 423; Coburn DeHart and wife, Margaret DeHart, acquired an undivided 7/32 interest by virtue of the deed from S. R. Patterson, Trustee, recorded in Book 60, page 425; and the heirs of James DeHart acquired an undivided 7/96 interest in fee simple by virtue of the death intestate of Thomas Bryson (W. T. DeHart).

It is understood and agreed that the parties of the first part grant and convey the above described tract of land subject to such right, title, and interest in and to an undivided 1/6 interest in the minerals in caption tract as may be outstanding in third parties by virtue of the reservation in the deed from T. J. Shuler to J. A. Bowers, recorded in Book 9, page 219, in the office of the Register of Deeds of Swain County, N. C. And the parties of the first part, for the considerations herein set out hereby convey any and all right, title, and interest which they may now have or may hereafter have, in and to the minerals contained in the above described tract of land by way of reversion, remainder, adverse possession, prescription, or otherwise.

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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 themselves, 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.

Witnesses as to signature by
mark of Lizzie DeHart

Stacy Coleman
Bryson City N C

Julius Coleman
Bryson City N C

Witnesses as to signature by
mark of Emma DeHart

James Denman,
Bryson City N. C.

Sentel Cornish, Asheville, N. C.

E. L. Webster as to Thelma D. Blakey
& Harry B. Blakey.

Lizzie x Dehart
mark
Lizzie DeHart

Jesse Dehart
Jesse DeHart
Her

Emma x Dehart
mark
Emma DeHart

Locke Woodard
Locke Woodard

Wilma Nelson Woodard
Wilma Nelson Woodard

Coburn DeHart
Coburn DeHart

Margaret DeHart
Margaret DeHart

Stacey Dehart Coleman
Stacey DeHart Coleman

Julius Coleman
Julius Coleman

Rube Dehart
Rube DeHart

Thelma D. Blakey
Thelma D. Blakey

Harry Blakey
Harry Blakey

Mary Dehart Carson
Mary DeHart Carson

Clarence DeHart
Clarence DeHart

Ressie DeHart
Ressie DeHart

STATE OF NORTH CAROLINA

SWAIN COUNTY

I, James Denman, a Notary Public for Clay County and said State, do hereby certify that LIZZIE DeHART, unmarried; COBURN DeHART and wife, MARGARET DeHART; ✓ STACEY DeHART COLEMAN and husband, JULIUS COLEMAN; and CLARENCE DeHART and wife RESSIE DeHART; personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said ✓ STACEY DeHART COLEMAN, COBURN DeHART, and RESSIE DeHART, wives of the said Julius Coleman, and Clarence DeHart, respectively, being by me privately examined, separate and apart from their said husbands, touching their voluntary execution of the same, do state that they signed the same freely and voluntarily, without fear or compulsion of their said husbands or any other person, and that they do still voluntarily assent thereto.

WITNESS my hand and official seal this 27th day of Sept., A. D., 1944. I certify that by virtue of Section 3176 N. C. Code, I am qualified to act in all counties of the State of North Carolina.

James Denman
Notary Public

(SEAL AFFIXED)

My commission expires: Oct. 6, 1945.