

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Map No. 17 R.4

(DOCUMENTARY STAMPS ATTACHED \$1.65)

STATE OF NORTH CAROLINA—SWAIN COUNTY

THIS DEED, Made this 2nd day of February, 1944, by and between

ROY PAYNE and wife, GLADYS PAYNE,

of the County of Swain and State of North Carolina, as part ies of the first part, and the UNITED STATES OF AMERICA as party of the second part: WITNESSETH, That the said part ies of the first part, in consideration of the sum of ONE THOUSAND SIXTY-TWO AND 80/100 Dollars (\$ 1,062.80) to them paid by the party of the second part, the receipt of which is hereby acknowledged, ha ve 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 3/4 miles northeast of the mouth of Noland Creek, and more particularly described as follows:

Beginning at a point in the center line of Canebrake Branch witnessed by a beech stump, a corner of the lands of Alfred S. Coldwell, and Silas Ball; thence with Silas Ball's line and the center line of the branch as it meanders upstream approximately 600 feet to a point, a corner of the lands of Silas Ball, and Silas Ball et ux; thence leaving the branch and with Silas Ball et ux's and Silas Ball's line and the top of a ridge as it meanders approximately along the following bearings and distances: N. 86° 00' E., 100 feet, N. 89° 30' E., 460 feet to an oak stump, N. 79° 00' E., 1060 feet to a 20 inch pine tree at a fence intersection, a corner of the lands of Silas Ball, and Charley C. McLean; thence with Charley C. McLean's line and a fence line at the top of a ridge as it meanders approximately along a bearing and distance of S. 5° 00' W., 410 feet to an 8 inch black gum tree at a fence angle; thence, leaving the fence line, with the top of the ridge as it meanders approximately along the following bearings and distances: S. 31° 00' W., 300 feet, S. 28° 00' W., 270 feet to a point, a corner of the lands of Charley C. McLean, and Alfred S. Coldwell; thence, leaving the ridge and with Alfred S. Coldwell's line, N. 86° 30' W., 1170 feet to the point of beginning, and containing 24.8 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 county type of state 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.

The above described tract of land was conveyed to Roy Payne, one of the parties of the first part, by deed from A. L. Nichols and wife, dated November 8, 1942, and recorded in Book 66, page 322, in the office of the Register of Deeds for Swain County, North Carolina.

It is understood and agreed that the parties of the first part grant and convey that portion of the above described tract of land carved out of Grant 2302 subject to an undivided 5/6 interest in and to the mines, minerals, and mining privileges as may be outstanding in third parties by virtue of the mineral deed from Samuel Anthony et ux to Lettie N. Hill et al, dated September 29, 1881, and recorded in Book 3, page 61, in the office of the Register of Deeds for Swain County, North Carolina, subject to the adverse conveyance of John B. Allison to W. N. Cooper, dated December 16, 1881, and recorded in Book 3, page 233, of 1/2 of the minerals in Grant 408, which is junior to Grant 2302. And the parties of the first part, for the consideration 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.

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 ha ve 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 ha ve hereunto set their hand s and seal s this the day, month and year above written.

(Seal)	(Seal)	(Seal)	(Seal)
(Seal)	(Seal)	(Seal)	(Seal)
(Seal)	(Seal)	(Seal)	(Seal)
(Seal)	(Seal)	(Seal)	(Seal)

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, Crawford Pearson, a Notary Public for Graham County and said State, do hereby certify that ROY PAYNE and GLADYS PAYNE, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Gladys Payne, wife of Roy Payne, 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.

WITNESS my hand and official seal this 2nd day of February, A.D., 1944, and 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.

(SEAL AFFIXED) Crawford Pearson, Notary Public

My commission expires: 5-3-45

STATE OF NORTH CAROLINA, SWAIN COUNTY

The foregoing certificate of Crawford Pearson a Notary Public of Graham County, attested by his official seal, is adjudged to be correct. Let the instrument, and the certificate, be registered.

WITNESS my hand this 2nd day of February, A.D., 1944.

H. J. Truett, Clerk Superior Court

Filed for registration on the 2 day of Feb., 1944, at 1:20 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 2 day of February, 1944, at 5:00 o'clock P.M. in Book 67 of Deeds, and Page 166, etc.

D. J. Welch

Deputy Register of Deeds.
Swain County, N.C.