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W. R. Welch

Deputy Register of Deeds
Swain County, North Car.

WARRANTY DEED

STATE OF NORTH CAROLINA)
)
SWAIN COUNTY)

Tract Nos. FR 1014
FR 1028
FR 1029
FR 1030

Map No. 36 R. 2

(DOCUMENTARY STAMPS ATTACHED \$2.75)

THIS DEED, Made this 28 day of Jan., 1944, by and between SILAS BALL and wife, BETTY JANE BALL, 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 TWO THOUSAND TWO HUNDRED EIGHTEEN AND - - - 70/100 DOLLARS (\$2,218.70) 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, certain tracts or parcels of land, situate, lying and being in Swain County, State of North Carolina, and more particularly described as follows, to-wit:

Four tracts of land lying in Charleston Township of Swain County, State of North Carolina, on the right side of the Tuckasegee River, Tract FR 1014 being approximately 1 1/2 miles southeast of the confluence of Indian Creek and Noland Creek, Tracts FR 1028 and FR 1029 being approximately 1-1/4 miles southeast of the confluence of Indian Creek and Noland Creek, and Tract FR 1030 being approximately 1 1/2 miles southeast of the confluence of Indian Creek and Noland Creek, and more particularly described as follows:

TRACT FR-1014:

Beginning at a 20 inch pine tree at a fence corner at the top of a ridge, a corner of the lands of Charley C. McLean, and Roy Payne; thence with Roy Payne's line and a fence line at the top of a ridge as it meanders approximately along a bearing and distance of South 79° 00' West, 1060 feet to an oak stump, a corner of the lands of Roy Payne, and Silas Ball et ux; thence leaving the ridge and the fence line and with Silas Ball et ux's line North 23° 00' West, 520 feet to a point in the center line of a branch, a corner of the lands of Silas Ball et ux, and Fred & Arthur Lollis; thence with Fred and Arthur Lollis' line North 67° 30' East, 100 feet to a point at the top of a ridge; thence with Fred and Arthur Lollis', Ben Lollis et ux's, and Charley C. McLean's line and the top of a ridge as it meanders approximately along the following bearings and distances: North 51° 00' East, 895 feet, North 37° 00' East, 460 feet to an 8 inch hickory tree, North 51° 00' East, 205 feet to a fence post, North 66° 00' East, 360 feet to a stake, South 2° 00' East, 500 feet, South 21° 00' West, 1000 feet to the point of beginning, and containing 30. acres, more or less.

TRACT FR 1028:

Beginning at a point in the center line of Canebrake Branch witnessed by a beech stump, a corner of the lands of Roy Payne, and Alfred S. Coldwell; thence with Alfred S. Coldwell's line South 4° 00' West, 145 feet to a railroad iron at the nose of a ridge, a corner of the lands of Alfred S. Coldwell, and Dr. Edgar Angel; thence with Dr. Edgar Angel's line and the top of a ridge as it meanders in a westerly direction approximately along the following bearings and distances: North 72° 00' West, 310 feet, South 81° 00' West, 325 feet, North 60° 00' West, 450 feet, North 30° 00' West, 190 feet to a point, a corner of the lands of Dr. Edgar Angel, and Silas Ball et ux; thence with Silas Ball et ux's line along the top of a ridge North 80° 00' East, 800 feet to a locust stump; thence North 83° 30' West, 1240 feet to a point (previously described as a stake) at the top of a ridge, a corner of the lands of Silas Ball et ux, Dr. Edgar Angel, the Nantahala Power and Light Company, and Fred and Arthur Lollis; thence with Fred and Arthur Lollis' line North 58° 00' East, 920 feet to a railroad iron; thence North 74° 00' East, 310 feet to a chestnut stump; thence South 44° 00' East, 440 feet to an 8 inch hickory tree, a corner of the lands of Fred and Arthur Lollis, and Rubin Ball; thence with Rubin Ball's line South 59° 00' East, 285 feet to a point in the center line of Canebrake Branch witnessed by a tree, a corner of the lands of Rubin Ball, and Silas Ball et ux; thence with Silas Ball et ux's, and Roy Payne's line and the center line of the branch as it meanders downstream approximately 770 feet to the point of beginning, and containing 27. acres, more or less.

TRACT FR 1029:

Beginning at a point (previously described as a stake) at the top of a ridge, a corner of the lands of Dr. Edgar Angel, the Nantahala Power and Light Company, Fred and Arthur Lollis, and Silas Ball; thence with Silas Ball's line South 83° 30' East, 1240 feet to a locust stump; thence along the top of a ridge South 80° 00' West, 800 feet to a point, a corner of the lands of Silas Ball, and Dr. Edgar Angel; thence with Dr. Edgar Angel's line and the top of a ridge as it meanders approximately along a bearing and distance of North 60° 00' West, 520 feet to the point of beginning, and containing 3.5 acres, more or less.

TRACT FR 1030:

Beginning at an oak stump in a fence line at the top of a ridge, a corner of the lands of Silas Ball, and Roy Payne; thence with Roy Payne's line and the fence line at the top of the ridge as it meanders approximately along a bearing and distance of South 89° 30' West, 460 feet to a point; thence, leaving the ridge, South 86° 00' West, 100 feet, leaving the fence line at approximately 40 feet, to a point in the center line of Canebrake Branch, a corner of the lands of Roy Payne, and Silas Ball; thence with Silas Ball's line and the center line of the branch as it meanders upstream approximately 170 feet to a point witnessed by a tree, a corner of the lands of Silas Ball, and Rubin Ball; thence leaving the branch and with Rubin Ball's line North 36° 00' East, 280 feet to a point in the center line of a branch, a corner of the lands of Rubin Ball, and Fred and Arthur Lollis; thence with Fred and Arthur Lollis' line and the center line of a branch as it meanders upstream approximately along a bearing and distance of North 69° 00' East, 260 feet to a point, a corner of the lands of Fred and Arthur Lollis, and Silas Ball; thence leaving the branch and with Silas Ball's line South 23° 00' East, 520 feet to the point of beginning, and containing 3.9 acres, more or less.

Tracts FR 1028 and FR 1030 fully described hereinabove are conveyed 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 descriptions are based on the North Carolina State Coordinate System, Lambert Projection, as established by the United States Coast and Geodetic Survey. The central meridian for this coordinate system is located at Longitude 79° 00' West.

The above described tracts of land were conveyed to the parties of the first part as follows: Tract FR 1014 to Silas Ball by deed from Elias Wiggins and wife, Flora Wiggins, of record in Deed Book 42, page 236, in the Office of the Register of Deeds of Swain County, North Carolina; Tract FR 1028 to Silas Ball by deed from Fannie Nichols, of record in Deed Book 62, page 52, and by deed from G. B. Hyatt and wife, B. M. Hyatt, of record in Deed Book 42, page 446, both deeds of record in said Register's Office; Tract FR 1029 to Silas Ball and wife, Jane Ball, who is one and the same person as Betty Jane Ball, one of the Parties of the First Part herein, by deed from G. W. Ball and wife, Etta Ball, of record in Deed Book 53, page 532, in said Register's Office; and Tract FR 1030 to Silas Ball and wife, Bettie Jane Ball, who is also the same person as Betty Jane Ball aforementioned, by deed from G. B. Hyatt and wife, B. M. Hyatt, of record in Deed Book 41, page 506, in said Register's Office.

It is understood and agreed that the Parties of the First Part grant and convey Tract FR 1030 hereinabove described subject to such right, title, and interest in and to the minerals as may be outstanding in William N. Cooper by virtue of the conveyance from John B. Allison to William N. Cooper, recorded in Deed Book 3, page 233, in the Office of the Register of Deeds of Swain County, North Carolina, and subject to such right, title, and interest in and to the minerals as may be outstanding in the W. T. Mason Lumber Company by virtue of the reservation contained in that certain deed from W. T. Mason Lumber Company to G. B. Hyatt, recorded in Deed Book 40, page 298, in said Register's Office. 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 Tract FR 1030 hereinabove described by way of reversion, remainder, adverse possession, prescription, or otherwise.

The undersigned, Fannie Nichols Evans and husband, Icie Evans, for a valuable consideration to them in hand paid, the receipt of which is hereby acknowledged, join in the execution of this deed for the purpose of ratifying and confirming the deed from Fannie Nichols to Silas Ball, dated 15 July 1935, and of record in Deed Book 62, page 52, in the Office of the Register of Deeds of Swain County, North Carolina.

TO HAVE AND TO HOLD the aforesaid tracts or parcels 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 Silas Ball:

(1) H. G. Skelton, Bryson City, N.C.

(2) Crawford Pearson, Bryson City, N.C.

WITNESSES as to signature by mark by Betty Jane Ball:

(1) William H. Blough, Bryson City, N.C.

(2) Crawford Pearson, Bryson City, N.C.

Witnesses as to signature by mark of Acie Evans:

James Denman, Bryson City, N.C.

H. P. Evans, Bryson City, N.C.

his
s/ Silas X Ball (SEAL)
mark

Silas Ball

her
s/ Betty Jane X Ball (SEAL)
mark

Betty Jane Ball

his
s/ Fannie Nichols Evans (SEAL)
Fannie Nichols Evans

his
s/ Acie X Evans (SEAL)
mark

Acie Evans