

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

(Documentary Stamps \$6.05 attached)

STATE OF NORTH CAROLINA—SWAIN COUNTY

THIS DEED, Made this 27th day of November, 1944, by and between

BETTY GRUENINGER STEARNS, unmarried,

of the County of Swain and State of North Carolina, as part y of the first part, and the UNITED STATES OF AMERICA as party of the second part: WITNESSETH, That the said party of the first part, in consideration of the sum of FIVE THOUSAND TEN AND 48/100 - - - - - Dollars (\$ 5,010.48 ) to her paid by the party of the second part, the receipt of which is hereby acknowledged, ha s bargained and sold, and by these presents do es 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 Forneys Creek Township of Swain County, State of North Carolina, on the right side of the Tuckasegee River, approximately 1/4 mile northeast of the confluence of Indian Creek and Noland Creek, and more particularly described as follows:

Beginning at a point in the center line of Noland Creek, a corner to the land of Phillip G. Rust, and the most southerly point of the tract herein described; thence with Phillip G. Rust's line N. 38° 00' W., 180 feet to a point at the top of a ridge; thence with the top of the ridge as it meanders in a northerly direction approximately along the following bearings and distances:

N. 22° 00' W., 440 feet, N. 10° 00' E., 300 feet, N. 34° 00' W., 550 feet, N. 1° 00' W., 460 feet to a pine tree; thence, leaving the ridge, S. 71° 00' E., 660 feet to a point; thence S. 81° 00' E., 240 feet to a 24 inch buckeye tree; thence N. 86° 00' E., 150 feet to a point in the center line of Noland Creek; thence with the center line of the creek as it meanders upstream approximately 200 feet to a point; thence, leaving the creek, N. 84° 00' W., 743 feet to a point; thence N. 7° 00' E., 1450 feet to a point; thence S. 74° 00' W., 310 feet to a point at the top of a ridge; thence with the top of the ridge as it meanders approximately along the following bearings and distances: N. 19° 00' W., 560 feet, N. 14° 00' W., 510 feet to a point; thence, leaving the ridge, S. 89° 00' E., 2020 feet to a point at the top of a ridge; thence with the top of a ridge as it meanders approximately along a bearing and distance of S. 32° 00' W., 560 feet to a 14 inch chestnut tree; thence, leaving the ridge, S. 35° 00' W., 660 feet to a point in the center line of Noland Creek; thence with the center line of the creek as it meanders downstream approximately 740 feet to a point; thence, leaving the creek, S. 53° 00' E., 770 feet, crossing a public road at approximately 180 feet, to a point; thence S. 13° 00' E., 570 feet to a point; thence S. 41° 00' E., 116 feet to a 14 inch black oak tree; thence with a line marked by hacked trees S. 83° 00' W., 980 feet, passing a 16 inch black oak tree at 680 feet and crossing a public road at approximately 800 feet, to a point in the center line of Noland Creek; thence with the center line of the creek as it meanders downstream approximately 1440 feet to the point of beginning, and containing 101. acres, more or less, subject to such rights as may be vested in the county or state to rights of way for a public road, and also subject to outstanding burial rights in and to the Lower Noland Private Cemetery.

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.

Being the property acquired by the first party hereto as devisee under the last will and testament of I. K. Stearns, of record in Will Book 2, page 149, in the office of the Superior Court Clerk of Swain County, North Carolina.

The party of the first part further conveys to the party of the second part hereto all burial rights and easements, including easements for ingress and egress, in and to the cemetery located on the above described tract of land.

It is understood and agreed that the party of the first part hereto grants and conveys the above described land subject to the mineral interests that may be outstanding in third parties by virtue of reservation contained in deed executed by John B. Allison to William Johnson, dated September 13, 1858, recorded in Deed Book 21, page 6, and by virtue of reservation contained in deed executed by J. H. Everett and wife, to R. R. Hicks, dated February 9, 1906, recorded in Deed Book 28, page 238, in the office of the Register of Deeds of Swain County, North Carolina, and the party of the first part, for the consideration herein set out, hereby conveys any and all right, title and interest which she may now have or may hereafter have in and to the minerals contained in the above described 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 part y of the first part, for her self , her heirs, successors, administrators and assigns, covenant with the said party of the second part, its successors and assigns that she is seized of said land and premises in fee, and ha s right to convey the same in fee simple; that the same are free and clear from all encumbrances and that she will warrant and defend the title to same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part ha s hereunto set her hand and seal this the day, month and year above written.

(Seal) (Seal) Betty Grueninger Stearns (Seal)  
(Seal) (Seal) Betty Grueninger Stearns (Seal)  
(Seal) (Seal) (Seal)  
(Seal) (Seal) (Seal)  
(Seal) (Seal) (Seal)

STATE OF NORTH CAROLINA  
SWAIN COUNTY

I, James Denman, a Notary Public, in and for Clay County, North Carolina, do hereby certify that BETTY GRUENINGER STEARNS, unmarried, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 27th day of November, A. D., 1944 and I certify that by virtue of Section 10-6, General Statutes of N. C., I am qualified to act in all counties of the State of North Carolina.  
(SEAL AFFIXED)

My commission expires: Oct. 6, 1945.

James Denman  
Notary Public

STATE OF NORTH CAROLINA, SWAIN COUNTY

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

WITNESS my hand this 27 day of November, A. D., 1944.

H. J. Truett  
Clerk Superior Court.

Filed for registration on the 27 day of November, 1944, at 4:35 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 28 day of November, 1944, at 9:45 o'clock A. M. in Book 67 of Deeds, and Page 254, etc.

D. R. Welch Deputy Register of Deeds.  
Swain County, North Carolina.