

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Map No. 38 R.1

STATE OF NORTH CAROLINA—SWAIN COUNTY

(DOCUMENTARY STAMPS ATTACHED \$1.10)

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

PEARLEY KIRKLAND and wife, HATTIE KIRKLAND,

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 SEVEN HUNDRED NINETY-TWO AND 70/100 - - - - - Dollars (\$ 792.70) 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, 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 Little Tennessee River, approximately 2 miles northwest of Bushnell, and more particularly described as follows:

Beginning at a stone in the south boundary line of the land herein described and at the top of Old House Ridge, a corner of the lands of R. E. L. Kirkland, and Lon C. Kirkland; thence with Lon C. Kirkland's line S. 74° 00' W., 290 feet, passing a stone at 280 feet, to a point in the center line of a road; thence with Lon C. Kirkland's, and Oscar Kirkland's line and the center line of the road as it meanders approximately along the following bearings and distances: N. 15° 30' W., 100 feet, N. 38° 30' W., 165 feet to a point; thence leaving the road and with Oscar Kirkland's line N. 81° 15' E., 10 feet to a fence intersection; thence with a fence line N. 33° 30' E., 120 feet to a fence corner, a corner of the lands of Oscar Kirkland, and W. R. Kirkland; thence with W. R. Kirkland's line and the fence line N. 88° 45' E., 390 feet, leaving the fence at approximately 170 feet, to a stone; thence N. 22° 00' W., 215 feet to a 4 inch maple tree, a corner of the lands of W. R. Kirkland, and Oscar Kirkland; thence with Oscar Kirkland's line N. 4° 30' W., 590 feet to a stone in the center line of a drain, a corner of the lands of Oscar Kirkland, and John W. Kirkland et ux; thence with John W. Kirkland's line N. 3° 00' W., 310 feet to a stake and a chestnut stump; thence N. 7° 30' W., 80 feet to a stake, a corner of the lands of John W. Kirkland et ux, and the Bryson City Bank; thence with the Bank's line S. 83° 00' E., 710 feet to a point at the top of a ridge, a corner of the lands of the Bryson City Bank, and R. E. L. Kirkland; thence with R. E. L. Kirkland's line and the top of the ridge as it meanders approximately along the following bearings and distances: S. 47° 30' E., 330 feet to a stake, S. 70° 00' W., 600 feet to a black oak stump; thence, leaving the ridge, S. 13° 00' W., 540 feet to a stone in the center line of a trail; thence with the center line of the trail as it meanders approximately along a bearing and distance of S. 29° 45' W., 315 feet to a black oak stump; thence, leaving the trail, S. 42° 45' E., 105 feet to a stake at the top of Old House Ridge; thence with the top of the ridge as it meanders in a southwesterly direction approximately 170 feet to the point of beginning, and containing 14. 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.

The above described tract of land was conveyed to Pearley Kirkland, one of the parties of the first part, by the following deeds of record in the office of the Register of Deeds for Swain County, North Carolina: (a) From Loney Kirkland, dated November 15, 1940, recorded in Book 64, page 579; (b) From George Kirkland, dated November 5, 1941, recorded in Book 64, page 532; and (c) From George Kirkland, dated November 14, 1939, recorded in Book 64, page 531.

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.

(Seal) (Seal) s/ Pearley Kirkland (Seal)
PEARLEY KIRKLAND (Seal)
(Seal) (Seal) s/ Hattie Kirkland (Seal)
HATTIE KIRKLAND (Seal)
(Seal) (Seal) (Seal)

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, I. C. Harrington, a Notary Public for said County and State, do hereby certify that PEARLEY KIRKLAND and HATTIE KIRKLAND, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Hattie Kirkland, wife of Pearley Kirkland, 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 27th day of January, A. D., 1944.
(SEAL AFFIXED)

I. C. Harrington, Notary Public

My commission expires: 12-30-1945
STATE OF NORTH CAROLINA, SWAIN COUNTY

The foregoing certificate of I. C. Harrington a Notary Public of Swain 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 January, A. D., 1944.

H. J. Truett, Clerk Superior Court

Filed for registration on the 27th day of January, 1944, at 4:30 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 28 day of January, 1944, at 10:45 o'clock A. M. in Book 67 of Deeds, and Page 162, etc.

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