

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Map No. 38 R.1

(DOCUMENTARY STAMPS ATTACHED \$2.20)

STATE OF NORTH CAROLINA—SWAIN COUNTY

THIS DEED, Made this 19 day of January, 1944, by and between

LONEY C. KIRKLAND and wife, SALLY 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 **ONE THOUSAND SIX HUNDRED THIRTY-SEVEN AND 70/100** Dollars (\$1,637.70) 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 12 inch pine tree at the top of a ridge, a corner of the lands of **A. R. Anthony et ux**, and **Harley Kirkland**, and the most westerly point of the tract herein described; thence with **Harley Kirkland's line S. 82° 00' E.**, 255 feet to a post; thence **N. 6° 00' W.**, 365 feet to a 6 inch sourwood tree at the top of a ridge, a corner of the lands of **Harley Kirkland**, and **Oscar Kirkland**; thence with **Oscar Kirkland's line and the top of the ridge as it meanders approximately along the following bearings and distances: N. 82° 00' E., 340 feet, S. 55° 30' E., 290 feet to a fence corner; thence, leaving the ridge and with the fence line, N. 85° 00' E., 365 feet to a point; thence, leaving the fence line, N. 53° 00' E., 140 feet to a stone; thence N. 85° 30' E., 10 feet to a point in the center line of a road, a corner of the lands of **Oscar Kirkland**, and **Pearley Kirkland**; thence with **Pearley Kirkland's line and the center line of the road as it meanders approximately along a bearing and distance of S. 15° 30' E.**, 100 feet to a point; thence, leaving the road, **N. 74° 00' E.**, 290 feet, passing a stone at 10 feet, to a stone at the top of **Old House Ridge**, a corner of the lands of **Pearley Kirkland**, and **R. E. L. Kirkland**; thence with **R. E. L. Kirkland's line and the top of the ridge as it meanders in a southwesterly direction approximately 330 feet to a 12 inch hemlock tree; thence, leaving the ridge, S. 18° 14' W., 35 feet to a stone in the center line of **Chambers Creek**; thence with the center line of the creek as it meanders downstream approximately 700 feet to a point, a corner of the lands of **R. E. L. Kirkland**, and **Christine Fisher**; thence, leaving the creek and with **Christine Fisher's line S. 73° 30' W.**, 40 feet to a stone in the center line of a road; thence with the center line of the road as it meanders approximately along a bearing and distance of **S. 12° 00' W.**, 295 feet to a point, a corner of the lands of **Christine Fisher**, and **Roxie McClure**; thence, leaving the road and with **Roxie McClure's line, S. 85° 00' W.**, 615 feet to a point at the top of a ridge, a corner of the lands of **Roxie McClure**, and **Martha Jane Anthony**; thence with **Martha Jane Anthony's and A. R. Anthony et ux's line and the top of the ridge as it meanders approximately along the following bearings and distances: N. 6° 00' W., 330 feet, N. 64° 00' W., 430 feet, N. 49° 00' W., 230 feet to an oak stump, N. 49° 30' W., 410 feet to the point of beginning**, and containing **29. acres**, more or less, subject to such rights as may be vested in the county or state to right of way for a public road.****

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° 90' W.**

Being the property acquired by **Loney C. Kirkland**, one of the parties of the first part, by inheritance upon the death intestate of his father, **B. W. Kirkland**, and by the following deeds of record in the office of the Register of Deeds for **Swain County, North Carolina**:

1. From **Martha Jane Anthony**, single, dated April 16, 1937, recorded in Book 62, page 293;
2. From **John Kirkland and wife, Tine Kirkland**, dated April 30, 1925, recorded in Book 53, Page 38;
3. From **George Kirkland et al**, dated May 2, 1927, recorded in Book 64, page 550; and
4. From **George Kirkland**, dated August 16, 1941, recorded in Book 64, page 549.

The **Loney C. Kirkland**, who is named as one of the parties of the first part in this deed, is one and the same person as the **L. C. Kirkland**, who was named as grantee in the deeds recorded in Book 62, page 293, and Book 64, page 550, and as **Lon Kirkland**, who was named as grantee in the deeds recorded in Book 53, page 38, and Book 64, page 549, in the office of the Register of Deeds for **Swain County, North Carolina**.

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 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 to signature by mark (Seal) (Seal) s/ Loney C. Kirkland (Seal)
Sally Kirkland (Seal) LONEY C. KIRKLAND (Seal)
Crawford Pearson, Bryson City, N.C. (Seal) her (Seal)
William H. Blough, Bryson City, N.C. (Seal) (Seal) s/ Sally X Kirkland (Seal)
mark (Seal) SALLY KIRKLAND (Seal)

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, **Crawford Pearson**, a Notary Public for **Graham County and State**, do hereby certify that **LONEY C. KIRKLAND** and **SALLY KIRKLAND**, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said **SALLY KIRKLAND**, wife of **LONEY C. 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 19th day of Jan., 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 19 day of January, A. D., 1944.

H. J. Truett, Clerk Superior Court

Filed for registration on the 19th day of Jan., 1944, at 4:30 o'clock, P. M., and registered in the office of the Register of Deeds for **Swain County, North Carolina**, 20 day of January, 1944, at 11:10 o'clock A. M. in Book 67 of Deeds, and Page 158, etc.

W. P. Welsh
 Deputy Register of Deeds
 Swain County, N.C.