

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Map No. 13 R.6

(DOCUMENTARY STAMPS ATTACHED \$1.65)

STATE OF NORTH CAROLINA—SWAIN COUNTY

THIS DEED, Made this 23 day of November, 1943, by and between

WILLIAM HARVEY PROCTOR and wife, MINNIE PROCTOR,

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 ONE HUNDRED ONE AND 85/100 - - - - - Dollars (\$1,101.85) 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:

FR-1087:

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 1-1/4 miles west of the Bushnell Depot, and more particularly described as follows:

BEGINNING at a fence intersection, a corner of the lands of Emma Monteith Rogers, and Harley Calhoun; thence with Harley Calhoun's line and a line marked by a fence North 12° 00' East, 265 feet to an iron pin; thence South 80° 00' East, 210 feet to an iron pin; thence South 76° 00' East, 310 feet, crossing a public road at approximately 40 feet, to an iron pin; thence South 70° 00' East, 120 feet to a fence corner; thence South 65° 00' East, 30 feet to a point, a corner of the lands of Harley Calhoun, J. G. Chambers et ux, and W. H. Proctor et ux; thence with W. H. Proctor's line South 22° 00' West, 150 feet to a point in the center line of a public road, a corner of the lands of W. H. Proctor et ux, and J. G. Chambers et ux; thence with J. G. Chambers' line and the center line of the road South 22° 00' West, 110 feet to an iron pipe, a corner of the lands of J. G. Chambers et ux, and Emma Monteith Rogers; thence with Emma Monteith Rogers' line, leaving the road North 64° 00' West, 130 feet to a point on the west side of a public road and in a fence line; thence with a fence line North 74° 00' West, 380 feet to a fence angle; thence South 84° 00' West, 120 feet to the point of beginning, and containing 3.6 acres, more or less, subject to such rights as may be vested in the county or state to Welch Branch Road affecting approximately 0.7 acre.

FR-1095:

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 1-1/4 miles west of the Bushnell Depot, and more particularly described as follows:

BEGINNING at a point in the center line of a public road, a corner of the lands of J. G. Chambers et ux, and Harvey Proctor; thence with Harvey Proctor's line North 22° 00' East, 150 feet to a point, a corner of the lands of Harvey Proctor, Harley Calhoun, and J. G. Chambers et ux; thence with J. G. Chambers' line South 68° 00' East, 130 feet to a point in the center line of a public road; thence with the center line of the road as it meanders approximately along a bearing and distance of South 62° 00' West, 200 feet, to the point of beginning, and containing 0.2 acre, more or less, subject to such rights as may be vested in the county or state to a state road known as Upper Road leading from Bushnell to Chambers Creek, which affects approximately 0.1 acre.

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 U. S. Coast and Geodetic Survey. The central meridian for this coordinate system is located at Longitude 79° 00' West.

The above described tract of land designated as FR-1087 was conveyed to Harvey Proctor, one and the same person as William Harvey Proctor, one of the first parties herein, by deed from John McClure and wife, recorded in Deed Book 57, page 221, in the office of the Register of Deeds for Swain County, North Carolina; and the above described tract of land designated as FR-1095 was conveyed to W. H. Proctor and wife, Minnie Proctor, one and the same persons as William Harvey Proctor and wife, Minnie Proctor, first parties herein, by deed from Alex C. Proctor and wife, recorded in Deed Book 64, page 14, 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 the above described tract of land designated as FR-1087 subject to such right, title, and interest in and to the minerals as may be outstanding in third parties by virtue of the reservation contained in that certain deed from C. G. Moon and wife to John Gibson, recorded in Deed Book 40, page 248, and the parties of the first part grant and convey the above described tract of land designated as FR-1095 subject to such right, title, and interest in and to the minerals as may be outstanding in third parties by virtue of the reservation contained in that certain deed from D. E. Gunter & Venie Gunter to E. C. Monteith, recorded in Deed Book 21, page 534, in the office of the Register of Deeds for Swain County, North Carolina. And the parties of the first part, for the considerations 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 tracts 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 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/ William Harvey Proctor (Seal)
William Harvey Proctor (Seal)
(Seal) (Seal) s/ Minnie Proctor (Seal)
Minnie Proctor (Seal)
(Seal) (Seal)

STATE OF NORTH CAROLINA
SWAIN COUNTY

I, H. H. Truett, a Clerk Superior Court for said County and State, do hereby certify that WILLIAM HARVEY PROCTOR and MINNIE PROCTOR his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said MINNIE PROCTOR wife of WILLIAM HARVEY PROCTOR 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. Let the instrument, with this certificate, be registered.

WITNESS my hand and official seal this 23 day of November, A. D., 1943.

(SEAL AFFIXED.)

H. J. Truett
Clerk Superior Court

Filed for registration on the 23rd day of Nov., 1943, at 3:00 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 23 day of November, 1943, at 4:00 o'clock P. M. in Book 67 of Deeds, and Page 108, etc.

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