

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

DOCUMENTARY STAMPS of \$2.20 attached.

STATE OF NORTH CAROLINA—SWAIN COUNTY

THIS DEED, Made this 1st day of February, 1944, by and between

JOHN R. BIVINS and wife, CYNTHIA E. BIVINS,

of the County of **Swain** and State of **North Carolina**, as part ies 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 FIFTY-FIVE AND 20/100** Dollars (\$1,655.20) to them paid by the party of the second part, the receipt of which is hereby acknowledged, ha ve 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 **Hazel Creek**, approximately 1600 feet north of its confluence with **Proctor's Mill Creek**, and more particularly described as follows:

Beginning at a 24 inch beech tree, a corner of the lands of the **J. E. Coburn Heirs**, and **W. A. Franklin**, and the most southeasterly point of the tract herein described, thence with **W. A. Franklin's line N. 80° 00' W.**, 310 feet to a fence angle, a corner of the lands of **W. A. Franklin**, and **L. B. Calhoun**; thence with **L. B. Calhoun's line** and a fence line **N. 20° 00' E.**, 320 feet to a fence angle; thence **N. 17° 00' W.**, 135 feet to a fence angle; thence **N. 17° 00' E.**, 85 feet to a fence angle, a corner of the lands of **L. B. Calhoun**, and the **Bradshaw Cemetery**; thence with the **Cemetery's line** and a fence line **N. 23° 00' E.**, 160 feet to a 14 inch pine tree at a fence angle, a corner of the lands of the **Bradshaw Cemetery**, and **L. B. Calhoun**; thence with **L. B. Calhoun's line** and a fence line **N. 60° 00' E.**, 400 feet to a fence angle; thence **N. 26° 00' E.**, 200 feet to a fence corner; thence, leaving the fence line, **N. 87° 00' W.**, 450 feet to a point in the center line of a branch witnessed by an 8 inch white oak tree, a corner of the lands of **L. B. Calhoun**, and **G. W. Hughes**; thence with **G. W. Hughes' line** and the center line of the branch as it meanders upstream approximately along a bearing and distance of **N. 58° 00' E.**, 1320 feet to a point, a corner of the lands of **G. W. Hughes**, **Robert Hughes**, and the **J. E. Coburn Heirs**; thence leaving the branch and with the **J. E. Coburn Heirs' line N. 83° 00' E.**, 700 feet to a point; thence **S. 41° 00' W.**, 2520 feet to the point of beginning, and containing 28. acres, more or less.

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.**

The above described tract of land was conveyed to the parties of the first part by deed from **Willie Burchfield** and wife, **Marrie Burchfield**, dated May 8, 1931, and recorded in **Deed Book 64**, page 580, in the office of the **Register of Deeds for Swain County, North Carolina**.

The John R. Bivins and wife, **Cynthia E. Bivins** who are named as parties of the first part in this deed are the same persons as the **Johon Bivins** and the wife of **Johon Bivins** who were named as grantees in the deed of record in **Deed Book 64**, page 580, 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 sel ves, 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 ha ve 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 part ies of the first part ha ve hereunto set their hand s and seal s this the day, month and year above written.

(Seal)

(Seal) s/ **John R. Bivins**

(Seal)

(Seal)

(Seal) JOHN R. BIVINS

(Seal)

(Seal)

(Seal) s/ **Cynthia E. Bivins**

(Seal)

(Seal)

(Seal) Cynthia E. Bivins

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, **Crawford Pearson**, a Notary Public for **Graham County** and said State, do hereby certify that **JOHN R. BIVINS** and **CYNTHIA E. BIVINS**, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said **Cynthia E. Bivins**, wife of **John R. Bivins**, 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 1st day of February, 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 2nd day of February, A.D., 1944.

H. J. Truett, Clerk Superior Court

Filed for registration on the 2 day of Feb., 1944, at 1:22 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 2 day of February, 1944, at 11:10 o'clock A.M. in Book 67 of Deeds, and Page 168, etc.

*DR Welsh*Deputy Register of Deeds.
Swain County, N.C.