

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

STATE OF NORTH CAROLINA—SWAIN COUNTY

THIS DEED, Made this 31st day of December, 1943, by and between

J. R. MORGAN and wife, CORA W. MORGAN, and FLOYD CODY and wife, MATILDA HUGHES CODY,

(DOCUMENTARY STAMPS ATTACHED \$1.65)

of the County of Haywood 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 THREE HUNDRED SIXTY-FIVE AND 80/100 Dollars (\$1,365.80) 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 Hazel Creek, approximately 3/4 mile north of its confluence with Proctor's Mill Creek, and more particularly described as follows:

Beginning at a point in the center line of Hickory Bottom Branch at the nose of a ridge, a corner of the lands of Robert Hughes, and the J. E. Coburn Heirs; thence with the J. E. Coburn Heirs' line and the top of the ridge as it meanders approximately along the following bearings and distances: North 71° 00' West, 990 feet, North 7° 00' West, 1060 feet to a point; thence, leaving the ridge, North 84° 00' East, 1200 feet, passing a pine tree at 320 feet and crossing Hickory Bottom Branch at approximately 640 feet, to a point; thence South 1° 00' West, 420 feet to a point at the top of a ridge, a corner of the lands of the J. E. Coburn Heirs, and Robert Hughes; thence with Robert Hughes' line and the top of the ridge as it meanders approximately along a bearing and distance of South 6° 00' West, 680 feet to a fence corner; thence, leaving the ridge, South 10° 00' West, 400 feet, crossing Hickory Bottom Branch at approximately 140 feet, to the point of beginning, and containing 36. 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' West.

The above described land was acquired by J. R. Morgan by virtue of deed from Floyd Cody and wife, Tilda Cody, of record in Deed Book 66, page 407, 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 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 S. W. Black and Will W. Wiggins Executors of the estate of J. E. Coburn, deceased, to Floyd Cody, recorded in Deed Book 61, page 438, 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 tract of land by way of reversion, remainder, adverse possession, prescription, or otherwise.

Floyd Cody and wife, Matilda Hughes Cody, join in the execution of this deed pursuant to the provisions of an oral contract between themselves and J. R. Morgan, by the terms of which Floyd Cody and wife are to receive the excess of One Thousand and No/100 Dollars (\$1,000.00) from which all taxes, revenue stamps, and liens are to be deducted.

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.

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|--------|-------------------------------|--------|--------------------------|--------|
| (Seal) | s/ <u>Matilda Hughes Cody</u> | (Seal) | s/ <u>J. R. Morgan</u> | (Seal) |
| (Seal) | MATILDA HUGHES CODY | (Seal) | J. R. MORGAN | (Seal) |
| (Seal) | | (Seal) | s/ <u>Cora W. Morgan</u> | (Seal) |
| (Seal) | | (Seal) | CORA W. MORGAN | (Seal) |
| (Seal) | | (Seal) | s/ <u>Floyd Cody</u> | (Seal) |
| | | | FLOYD CODY | |

STATE OF NORTH CAROLINA, HAYWOOD COUNTY

I, Sylla Davis, a Notary Public for said County and State, do hereby certify that J. R. MORGAN and CORA W. MORGAN, his wife, and FLOYD CODY and MATILDA HUGHES CODY, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Cora W. Morgan and Matilda Hughes Cody, wives of J. R. Morgan and Floyd Cody, being by me privately examined, separate and apart from their said husbands, touching their voluntary execution of the same, do state that they signed the same freely and voluntarily, without fear or compulsion of their said husbands or any other person, and that they do still voluntarily assent thereto.

WITNESS my hand and official seal this 1st day of January, A. D., 1944. Sylla Davis, NOTARY PUBLIC
(SEAL AFFIXED) My commission expires: December 21, 1944.

STATE OF NORTH CAROLINA, SWAIN COUNTY

The foregoing certificate of Sylla Davis a Notary Public of Haywood County, attested by her official seal, is adjudged to be correct. Let the instrument, and the certificate, be registered.

WITNESS my hand this 12 day of January, A. D., 1944.

Annie Mae Truett, Deputy Clerk Superior Court

Filed for registration on the 13th day of January, 1944, at 2:50 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 13 day of January, 1944, at 5:15 o'clock P. M. in Book 67 of Deeds, and Page 155, etc.

HPW
H. P. W. Welsh

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