

Filed for registration on the 16th day of December, 1943, at 9:30 o'clock, A.M., and registered in the office of the Register of Deeds for Swain County, N.C., 16th day of December, 1943, at 10:50 o'clock A.M. in Book 68 of Deeds, and Page 252, etc.

DR Welch
Deputy Register of Deeds
Swain County, North Carolina

TVA 1481

TENNESSEE VALLEY AUTHORITY

(DOCUMENTARY STAMPS ATTACHED \$2.20)

WARRANTY DEED

Tracts Nos. FR-1175 & ✓

FR-1176

Map No. 32 R.1

STATE OF NORTH CAROLINA

SWAIN COUNTY

THIS DEED, Made this 15th day of December, 1943, by and between HOUSTON H. NELMS and wife, OMA BAILEY NELMS, 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 NINE HUNDRED NINETY-EIGHT AND 85/100 Dollars (\$1,998.85) 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:

TRACT NO. FR-1175:

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 3/4 mile north of Calhoun Island, and more particularly described as follows:

BEGINNING at a point in the center line of a road witnessed by a stake in a stump hole, a corner of the lands of W. A. & Dora Curtis, and M. T. Calhoun et ux; thence with M. T. Calhoun's line and the center line of the road as it meanders approximately along a bearing and distance of South 55° 00' West, 750 feet to a point; thence, leaving the road, South 4° 00' West, 25 feet to a pine tree at the top of a ridge, a corner of the lands of M. T. Calhoun et ux, and P. R. Lovine et ux; thence with P. R. Lovine's line and the top of a ridge as it meanders approximately along the following bearings and distances: South 55° 00' West, 600 feet, South 22° 00' West, 250 feet, South 14° 00' East, 160 feet to a pine tree, a corner of the lands of P. R. Lovine et ux, and C. I. Calhoun et ux; thence leaving the ridge and with C. I. Calhoun's line and with a fence line for the last approximate 50 feet South 63° 00' West, 200 feet to a fence angle; thence South 79° 00' West, 315 feet to a fence angle; thence, leaving the fence line, North 52° 00' West, 820 feet, crossing Mill Branch at approximately 180 feet, to a stake at the top of a ridge, a corner of the lands of C. I. Calhoun et ux, and H. H. Nealms et ux; thence with H. H. Nealms et ux's, and G. H. Holloway et ux's line and the top of a ridge which is marked by hacked trees for a portion of its length as it meanders approximately along the following bearings and distances: North 32° 00' East, 400 feet, North 8° 00' West, 225 feet, North 43° 00' East, 445 feet to a stake in a fence line, a corner of the lands of G. H. Holloway et ux, and W. A. & Dora Curtis; thence with W. A. & Dora Curtis' line and a fence line South 40° 00' East, 105 feet to a fence angle; thence South 27° 00' East, 95 feet to a fence angle; thence South 3° 00' East, 110 feet to a fence angle; thence South 46° 00' East, 175 feet to a fence angle; thence South 82° 00' East, 435 feet, passing a white oak stump at 285 feet, to a fence angle; thence North 50° 00' East, 340 feet to a fence angle; thence North 54° 30' East, 430 feet to a stake at a fence angle; thence due east, 145 feet to a stake at a fence angle; thence North 56° 00' East, 315 feet to a 1/4 inch dogwood tree at a fence angle; thence, leaving the fence line, South 29° 00' East, 300 feet to the point of beginning, and containing 34.1 acres, more or less, subject to such rights as may be vested in the county or state to rights of way for public roads.

TRACT NO. FR-1176:

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 1/2 mile north of Calhoun Island, and more particularly described as follows:

BEGINNING at a point at the top of a ridge, a corner of the lands of G. H. Holloway et ux, and H. H. Nelams

et ux, and the most northerly point of the tract herein described, the said point being South $43^{\circ} 00'$ West, 445 feet from the stake in a fence line and at the top of a ridge which is a common corner of the lands of G. H. Holloway et ux, W. A. & Dora Curtis, and H. H. Nelams et ux; thence with H. H. Nelams et ux's, C. I. Calhoun et ux's, and W. O. Calhoun's line and a hacked line at the top of a ridge as it meanders approximately along the following bearings and distances: South $8^{\circ} 00'$ East, 225 feet, South $32^{\circ} 00'$ West, 400 feet to a stake, South $21^{\circ} 00'$ West, 425 feet to a pine tree, South $59^{\circ} 00'$ West, 490 feet, South $46^{\circ} 00'$ West, 410 feet, South $58^{\circ} 00'$ West, 460 feet to a point in the center line of a road, a corner of the lands of W. O. Calhoun, and J. C. Millsaps; thence with J. C. Millsaps' line and the center line of the road as it meanders approximately along the following bearings and distances: North $36^{\circ} 00'$ East, 540 feet, North $6^{\circ} 00'$ East, 630 feet to a point, a corner of the land of J. C. Millsaps, and the lands in dispute between J. C. Millsaps and G. H. Holloway et ux, and between G. H. Holloway and H. H. Nelams; thence with the line claimed by G. H. Holloway as his southeast boundary line North $50^{\circ} 00'$ East, 175 feet to a point at the top of a ridge; thence with the top of the ridge as it meanders approximately along the following bearings and distances: North $52^{\circ} 00'$ East, 480 feet, North $64^{\circ} 00'$ East, 610 feet to the point of beginning, and containing 20.1 acres, more or less, subject to such rights as may be vested in the county or state to rights of way for public roads.

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-1175 was conveyed to the parties of the first part by deed from J. L. McIntosh and wife, Parthina McIntosh, recorded in Deed Book 49, page 558, in the Office of the Register of Deeds for Swain County, North Carolina; and the above described tract of land designated as FR-1176 was conveyed to the parties of the first part by deed from J. C. Millsaps and wife, L. B. Millsaps, recorded in Deed Book 45, page 526, in said Register's Office.

It is understood and agreed that the parties of the first part grant and convey the above described tract of land designated as FR-1175 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 A. J. Hall to Morrison Crisp, recorded in Deed Book 20, page 145, 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 designated as FR-1175 by way of reversion, remainder, adverse possession, prescription, or otherwise.

Houston H. Nelms, one of the parties of the first part herein, certifies that he is one and the same person as H. H. Nelams and H. H. Nealms, one of the grantees in deeds recorded in Deed Book 49, page 558, and Deed Book 45, page 526, respectively, 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 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 WITNES WHEREOF, The said parties of the first part have hereunto set their hands and seals this the day, month and year above written.

Witness to Houston H. Nelms mark:
Crawford Pearson, Bryson City, N.C.
I. R. Wilson, Bryson City, N.C.

STATE OF NORTH CAROLINA

SWATON COUNTY

I, Crawford Pearson, a Notary Public for Graham County, N.C., do hereby certify that HOUSTON H. NELMS and
OMA BAILEY NELMS his wife, personally appeared before me this day and acknowledged the due execution of the foregoing

instrument; and the said Oma Bailey Nelms, wife of Houston H. Nelms, 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 15 day of December, A.D., 1943.

I certify that I am qualified to act as a Notary in the above County under the provisions of Sec. 3176 N.C. Code of 1939.

(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, N.C. attested by his official seal, is adjudged to be correct. Let the instrument, and the certificate, be registered.

WITNESS my hand this 16th day of December, A.D., 1943.

H. J. Truett, Clerk Superior Court

Filed for registration on the 16th day of December, 1943, at 9:32 o'clock, A.M., and registered in the office of the Register of Deeds for Swain County, N.C., 16th day of December, 1943, at 11:55 o'clock A.M. in Book 68 of Deeds, and Page 254, etc.

W. P. Welch
Deputy Register of Deeds
Swain County, North Carolina

NORTH CAROLINA

FR*1051

SWAIN COUNTY

This deed, made this the 1st day of December, 1928, by W. G. Hall, Trustee, party of the 1st part to R. E. L. Kirkland of Swain County, State of North Carolina, party of 2nd part,

W I T N E S S E T H:

That whereas, on the 10th day of February, 1926, William Benjamin Abraham executed and delivered unto the said W. G. Hall, Trustee, a certain deed in trust, which is recorded in the office of the Register of Deeds for Swain County, in book 14, page 457:

And whereas there was default in the payment of the indebtedness thereby secured and as therein provided, and under and by virtue of the authority conferred by said Deed in Trust, and in accordance with the terms and stipulations of the same and after due advertisements as in said Deed in Trust prescribed and by law provided the said W. G. Hall, Trustee, did, on the 17th day of March, 1928, at the Court House door in Bryson City, Swain County, North Carolina, expose to public sale the lands hereinafter described, where and when R. E. L. Kirkland became the last and highest bidder for same at the price of FIVE HUNDRED (\$500.00) DOLLARS.

And whereas, the said purchase price has been fully paid or arranged to be paid, as in said Deed in Trust prescribed.

Now, therefore, in consideration of the premises and the sum of \$1.00 paid to the said party of the first part by the said party of the 2nd part, the receipt of which is hereby acknowledged, and under and by virtue of the power and authority by the said Deed in Trust conferred, the said W. G. Hall, Trustee as aforesaid, does hereby bargain, sell and convey unto the said R. E. L. Kirkland, his heirs and assigns, a certain parcel or tract of land, lying and being in Forney's Creek Township, Swain County, North Carolina, and more fully described as follows, to-wit:

BEGINNING on a pine at the beginning corner of the old Kirkland one hundred acre tract and runs in a west direction to Chambers Creek; then up said creek to a small spruce pine; then East direction up the old House Ridge to a pine in the old one hundred acre line; then N. with said line to a black oak; then with the conditional line to a rock in a branch; then a northeast direction to a Spanish oak on top of a ridge; then up the ridge to a chestnut oak in H. B. Anthony's line; then a north direction to a stake in the Dale line; then east direction with Dale line to a stake on top of a ridge; then south direction down said ridge to a stake in H. B. Anthony's west boundary line; then a south direction to Montieth's line between W. W. Shook & Jasper Crisn to the beginning, containing 99.6 acres more or less, according to the survey made by C. A. Davis.

To have and to hold said land and premises and all privileges and appurtenances thereto belonging unto the said R. E. L. Kirkland, his heirs and assigns, forever, in as full and ample manner as the said W. G. Hall, Trustee, is authorized and empowered to convey the same.

In witness, whereof the said W. G. Hall, trustee as aforesaid, has hereunto set his hand and seal this the day and year first above written.

W. G. Hall
TRUSTEE

SEAL)