

TENNESSEE VALLEY AUTHORITY

W A R R A N T Y D E E D

STATE OF NORTH CAROLINA

(DOCUMENTARY STAMPS attached and canceled \$3.30)

Tract No. FR-1185

SWAIN COUNTY

Map No. 32 R.3

THIS DEED, Made this 31 day of January, 1944, by and between JANE M. ANDERSON, unmarried, and NANCY M. ALMOND, unmarried, of the County of Lumpkin and State of Georgia; MARY M. WATSON and husband, WILLIAM E. WATSON, and FLORA M. CABLE and husband, CHARLES CABLE, of the County of Gaston and State of North Carolina; and HESTER HERRON and husband, A. HARRISON HERRON, 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 TWO THOUSAND SEVEN HUNDRED THIRTY-THREE AND 42/100 Dollars (\$2,733.42) 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, an undivided 8/9 interest in and to 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 1 mile east of Calhoun Island, and more particularly described as follows:

Beginning at a 14 inch black oak tree in the east boundary line of the tract herein described, a corner to the land of Sarah Crisp; thence with Sarah Crisp's line S. 85° 00' E., 165 feet to a point at the top of a ridge, a corner of the lands of Sarah Crisp, and Lee Hering et ux; thence with Lee Hering's line S. 48° 45' W., 1130 feet to a 14 inch pine tree; thence S. 5° 00' W., 2610 feet to a point (prev. desc. as a 48 inch chestnut tree and pipe), a corner of the lands of Lee Hering et ux, and the Nantahala Power & Light Company; thence with the Company's line S. 67° 56' W., 2204 feet, crossing Chessquaw Branch at approximately 880 feet, to a point (prev. desc. as a 15 inch pine tree); thence N. 25° 40' W., 854 feet to a point (prev. desc. as a pipe and an 8 inch spanish oak tree) at the top of a ridge, a corner of the lands of the Nantahala Power & Light Company, and Spurgeon Hall et ux; thence with Spurgeon Hall's line and the top of the ridge as it meanders approximately along a bearing and distance of N. 47° 30' E., 620 feet to an 8 inch black jack snag; thence, leaving the ridge, N. 6° 00' E., 280 feet to a hickory tree; thence N. 1° 30' W., 1020 feet to a 24 inch black oak tree at the top of Chessquaw Ridge, a corner of the lands of Spurgeon Hall et ux, and T. W. Cable et ux; thence with T. W. Cable's, and Virginia Calhoun's line and the top of Chessquaw Ridge as it meanders in a north easterly direction approximately 4020 feet, passing a 5 inch spanish oak tree at approximately 1010 feet, to an 8 inch black oak snag, a corner of the lands of Virginia Calhoun, and W. H. Pilkington; thence with W. H. Pilkington's, and Sarah Crisp's line and the top of a ridge as it meanders approximately along the following bearings and distances: S. 40° 00' E., 320 feet to a stake, S. 33° 30' E., 730 feet, S. 15° 30' E., 560 feet to the point of beginning, and containing 202 acres, more or less.

It is understood and agreed that this conveyance is made subject to such burial rights as may be outstanding in third parties to the Mitchel Cemetery.

It is further 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.

An undivided 1/9 interest in the above described tract of land was acquired by Jane M. Anderson, Nancy M. Almond, Mary M. Watson, and Flora M. Cable, four of the first parties hereto, by intestate succession as heirs at law of James W. Mitchell, deceased.

An undivided 3/9 interest in the above described tract of land was acquired by C. A. Cable and wife, Flora Cable, two of the first parties hereto, by virtue of the following deeds of record in the office of the Register of Deeds for Swain County, North Carolina: (a) From W. A. Mitchell et ux, dated July 8, 1939, recorded in Deed Book 64, page 13; (b) From Pinkney Mitchell et ux, dated February 13, 1941, recorded in Deed Book 64, page 331; and (c) From Jessie Mitchell et ux, dated February 13, 1941, recorded in Deed Book 64, page 332.

An undivided 1/9 interest in the above described tract of land was acquired by Hester Herron, one of the first parties hereto, by virtue of the deed from Lila Mitchel Davis et vir, dated October 30, 1941, and recorded in Deed Book 64, page 338, 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 the deed from A. V. Calhoun and wife, Susan Calhoun, to James W. Mitchell, recorded in Deed Book 31, page 382, in the office of the Register of Deeds for Swain County, North Carolina. And the parties of the first part, for the consideration 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.

The Flora M. Cable and husband, Charles Cable, two of the first parties in this deed, are the same persons as the Flora Cable and husband, C. A. Cable, grantees in the deeds of record in Deed Book 64, page 331, and in Deed Book 64, page 332, and as the Florey Cable and husband, C. A. Cable, grantees in the deed of record in Deed Book 64, page 13, all of which deeds are of record 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 an undivided 8/9 interest in 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.

Jane M. Anderson (SEAL)
Jane M. Anderson

Nancy M. Almond (SEAL)
Nancy M. Almond

Mary M. Watson (SEAL)
Mary M. Watson

William E. Watson (SEAL)
William E. Watson

Flora M. Cable (SEAL)
Flora M. Cable

Charles Cable (SEAL)
Charles Cable

Hester Herron (SEAL)
Hester Herron

A. Harrison Herron (SEAL)
A. Harrison Herron

STATE OF GEORGIA

COUNTY OF LUMPKIN

I, Doyle H. Anderson, a Clerk Superior Court in and for the State and County aforesaid, do hereby certify that JANE M. ANDERSON, unmarried, and NANCY M. ALMOND, unmarried, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 31 day of January, A. D., 1944.

(Seal affixed)
My commission expires: 12-31-44

Doyle H. Anderson
Clerk Superior Court
Lumpkin County Georgia.

STATE OF NORTH CAROLINA

GASTON COUNTY

I, Thelma Lewis McClure, a Notary Public for Gaston County and said State, do hereby certify that MARY M. WATSON wife of, WILLIAM E. WATSON, and FLORA M. CABLE and husband, CHARLES CABLE, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said MARY M. WATSON and FLORA M. CABLE, wives of WILLIAM E. WATSON and CHARLES CABLE, respectively, 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.