

Deeds for Swain County, North Carolina, and by virtue of the reservation contained in that certain deed from Jesse R. Siler to Thaddeous P. Siler, recorded in Deed Book "G", page 315, in the office of the Register of Deeds for Macon County, North Carolina. And the First Party, for the considerations herein set out hereby conveys any and all right, title, and interest which he 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.

To have and to hold the said easement and right of way unto the Second Party, its successors and assigns, to its own use and behoof forever.

And the said First Party hereby covenants with the Second Party that it is lawfully seized and possessed of the aforescribed tract or parcel of land; that it has a good and lawful right to sell and convey the same; that the same is free from all incumbrances; and that it will warrant and forever defend the title and quiet possession thereto against the lawful claims of all persons whomsoever.

As a further consideration for the payment of the purchase price, above stated, the First Party hereby releases all claims for damage, from whatsoever cause, incidental to the exercise of any of the rights herein granted, except damage to growing crops, for which Second Party shall remain liable.

It is understood and agreed by the parties hereto, that wherever in the foregoing instrument the singular number is used, it will be read as plural, if and when necessary; and that wherever words of neuter gender are employed, they will likewise apply to the masculine and feminine gender, whenever the context requires.

In Witness Whereof, the said First Parties have hereunto set their hands and seals, this the 29 day of May, 1944.

STATE OF NORTH CAROLINA
SWAIN COUNTY

Sarah Josephine Ward Bailey (Seal)
Sarah Josephine Ward Bailey

J. Andrew Bailey (Seal)
J. Andrew Bailey

I, H. J. Truett, Clerk Superior Court, for said County and State, do hereby certify that Sarah Josephine Ward Bailey and husband, J. Andrew Bailey, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Sarah Josephine Ward Bailey, wife of J. Andrew Bailey, 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 doth still voluntarily assent thereto. Let the instrument and the certificate be registered.

Witness my hand and official seal this 29 day of May, A.D., 1944.

(Seal affixed)

H. J. Truett, Clerk Superior Court,
Swain County, North Carolina

Filed for registration on the 29 day of May, 1944, at 11:35 o'clock A. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 29 day of May 1944, at 5:00 o'clock P. M., in Book 67 of Deeds, and Page 418.

D. R. Welch
D. R. Welch, Deputy Register of Deeds,
Swain Co., N.C.

STATE OF NORTH CAROLINA
SWAIN COUNTY

TENNESSEE VALLEY AUTHORITY

TRACT NO. FR-1196
Map No. 35 R.1

Documentary Stamps \$1.10 affixed

WARRANTY DEED

This Deed, Made this 10th day of May, 1944, by and between Hester Conley and husband, Will Conley, Swain County, North Carolina; Lucille H. Hooper and husband, William E. Hooper, City of Hopewell, Virginia; Louisa H. Sing and husband, Clifford Sing, Bell County, Kentucky; Rollins Herron and wife, Marie Herron, Claiborne County, Tennessee; Vincent Herron Calhoun County, Alabama, and wife, Rosa Herron, Bell County, Kentucky, 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 Five Hundred and 62/100 Dollars (\$500.62) 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 5/6 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 2 miles west of the confluence of the Little Laurel Creek and Indian Camp Creek, tributaries of Chambers Creek, and more particularly described as follows:

BEGINNING at a black oak stump in the south boundary line of the tract hereindescribed, a corner of the lands of the J. E. Coburn Heirs, and N. A. Pilkenton; thence with N. A. Pilkenton's line N. 82° 30' W., 120 feet to a point in the center line of a branch, a corner of the lands of N. A. Pilkenton, and Flora Hall; thence with Flora Hall's line and the center line of the branch as it meanders upstream approximately along a bearing and distance of N. 2° 00' W., 2170 feet to a point witnessed by a stake, a corner of the lands of Flora Hall, and the J. E. Coburn Heirs; thence leaving the branch and with the J. E. Coburn Heirs' line N. 79° 00' E., 1430 feet to a point; thence S. 23° 00' E., 1120 feet to a point, a corner of the lands of the J. E. Coburn Heirs, John Pilkington, and the J. E. Coburn Heirs; thence with the J. E. Coburn Heirs' line S. 49° 00' W., 2190 feet to the point of beginning, and containing 66. 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.

Being the property acquired by first parties hereto by decree in Special Proceedings Book 3, page 395, of record in the office of the Clerk of the Superior Court of Swain County, North Carolina.

The Lucille H. Hooper, one of the first parties hereto, is one and the same person as Lucille Herron Hooper; and Louisa Sing, one of the first parties hereto, is one and the same person as Louisa H. Sing.

To have and to hold the aforesaid tract or parcel of land and all privileges and appurtenance 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 a 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.

Witnesses to signature by mark of Rollins Herron:

(1) Hazel Shipman
(2) Moss Shipman
Middlesboro, Ky.

Hester Conley (Seal)
Hester Conley

Will Conley (Seal)
Will Conley

Lucille H. Hooper (Seal)
Lucille H. Hooper

William E. Hooper (Seal)
William E. Hooper

Louisa H. Sing (Seal)
Louisa H. Sing

Clifford Sing (Seal)
Clifford Sing

his
Rollins X Herron (Seal)
mark
Rollins Herron

Marie Herron (Seal)
Marie Herron

Vincent Herron (Seal)
Vincent Herron

Rosa Herron (Seal)
Rosa Herron

STATE OF NORTH CAROLINA
SWAIN COUNTY

I, Will W. Wiggins, a Notary Public, for said County and State, do hereby certify that Will Conley and wife, Hester Conley, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Hester Conley, wife of Will Conley, 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 29th day of May, A.D., 1944.

(Seal affixed) My commission expires: February 20, 1946.

Will W. Wiggins, Notary Public

STATE OF VIRGINIA
CITY OF HOPEWELL

I, J. H. Massey, a Notary Public, for said County and State, do hereby certify that William E. Hooper and wife, Lucille H. Hooper, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Lucille H. Hooper wife of William E. Hooper, 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 23rd day of May, A.D. 1944.

(Seal affixed) My commission expires June 30th, 1947

J. H. Massey

STATE OF KENTUCKY
BELL COUNTY

I, Edna Shipman, a Notary Public for said County and State, do hereby certify that Clifford Sing and wife, Louisa H. Sing, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Louisa H. Sing, wife of Clifford Sing, being by me privately examined, separate and apart from her said husband, touching their 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 16th day of May, A.D., 1944.

(Seal affixed) My commission expires: August 5, 1947

Edna Shipman

STATE OF KENTUCKY
BELL COUNTY

I, Edna Shipman, a Notary Public for said County and State, do hereby certify that Rollins Herron and wife, Marie Herron, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Marie Herron, wife of Rollins Herron, 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 16th day of May, A.D., 1944.

(Seal affixed) My commission expires: August 5, 1947

Edna Shipman

STATE OF ALABAMA
CALHOUN COUNTY

On this the 10th day of May, 1944, before me C. W. Willoughby, Capt. Inf., Commanding HQ. Co. I.R.T.C. Ft. McClellan, Ala., the undersigned officer, personally appeared Vincent Herron, married, known to me (or satisfactorily proved) to be serving in or with the armed forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purpose therein contained. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

C. W. Willoughby
Signature of Officer

C. W. Willoughby, Capt. Inf.
Commanding HQ. Co. I.R.T.C. Ft. McClellan, Ala.
Rank of Officer and command to which attached

STATE OF KENTUCKY
BELL COUNTY

I, M. E. Brown, a Notary Public, for said County and State do hereby certify that Rosa Herron, wife of Vincent Herron, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Rosa Herron, wife of Vincent Herron, 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 16 day of May, A.D., 1944.

(Seal affixed) My commission expires Feb. 23, 1945

M. E. Brown
Notary Public, Bell County,
Kentucky

STATE OF NORTH CAROLINA
SWAIN COUNTY

The foregoing certificates of Will W. Wiggins, a Notary Public of Swain County, North Carolina; J. H. Massey, a Notary Public for the City of Hopewell, Virginia; Edna Shipman, a Notary Public of Bell County, Kentucky; M. E. Brown, a Notary Public of Bell County, Kentucky, attested by their official seals, and C. W. Willoughby, Capt. Inf. Commanding Hq. Co. I. R. T. C. Ft. McClellan, Alabama, are adjudged to be correct. Let the instrument, and the certificates, be registered.

Witness my hand this 30 day of May, A.D., 1944.

H. J. Truett
Clerk Superior Court

Filed for registration on the 30 day of May, 1944, at 4:25 o'clock P. M., and registered in the office of the Register of Deeds for Swain County, N.C., 30 day of May, 1944, at 5:00 o'clock P. M., in Book 67 of Deeds, and Page 420, etc.

D. R. Welch
D. R. Welch, Deputy Register of Deeds
Swain Co., N.C.

GRANT OF FLOWAGE EASEMENTS

(DOCUMENTARY STAMPS 55¢ Attached)

TRACT NO. FR-318-F

This Indenture, made and entered into this 25 day of May, 1944, by and between John Ervin Lindsay and wife, Fannie Lindsay, of the County of McDowell, and State of West Virginia, hereinafter called the "Grantors," and the United States of America, hereinafter called the "Grantee";

Witnesseth: That for and in consideration of the sum of Two Hundred Twenty-Nine and no/100 Dollars (\$229.00), cash in hand paid, the receipt whereof is hereby acknowledged, the Grantors have this day bargained and sold, and do hereby grant, bargain, sell, transfer, and convey unto the Grantee, and its assigns, easement rights in and over the land hereinafter described, for the following uses and purposes:

Over that portion of the following described tract of land which lies below contour elevation 1722.63, and containing 1.8 acres, more or less, the right to temporarily overflow the land and store water during flood periods.

The land affected by the easement rights above set forth is located and described as follows:

TRACT FR-318-F:

That portion of the following described tract of land which lies below elevation 1722.63, and is located in Nantahala Township of Swain County, State of North Carolina, on the left bank of the Little Tennessee River, approximately 1 3/4 miles southeast of the U. S. Highway No. 19 bridge across the river, the said tract being more particularly described as follows:

Beginning at a stake, a corner of the lands of Frank Hyatt et ux, M. R. Parton, and Frank Hyatt et ux; thence with Frank Hyatt's line S. 63° 00' E., 604 feet to a 10 inch walnut tree; thence S. 74° 00' E., 405 feet to a point on the left bank of the Little Tennessee River; thence S. 68° 00' E., 100 feet to a point in the river, a corner of the lands of Frank Hyatt et ux, and the Nantahala Power & Light Company; thence with the said Company's line and the river as it meanders upstream approximately 680 feet to a point, a corner of the lands of the Nantahala Power & Light Company, and Frank Hyatt et ux; thence with Frank Hyatt's line N. 2° 00' W., 130 feet to a point on the left bank of the river; thence N. 40° 00' W., 580 feet to a point; thence N. 28° 00' W., 313 feet to the point of beginning, and containing a total of 7.5 acres, more or less, of which 1.8 acres, more or less, lie below elevation 1722.63.

The land affected by the said easement rights is shown on Tennessee Valley Authority Land Map 19 MS 421 K 504-24 for Fontana Reservoir, a copy of which will be filed in the office of the Register of Deeds of Swain County, North Carolina.

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 elevations given therein refer to Mean Sea Level Datum and are based on the U. S. Coast and Geodetic Survey's Southeastern Supplementary Adjustment of 1936.

The above described tract of land was acquired by John Ervin Lindsey by virtue of the special proceeding entitled M. R. Parton, Petitioner, vs. Maggie Lindsey Coxey et al, Respondents, recorded in Special Proceedings Book 4, Page 373, in the office of the Clerk of the Superior Court of Swain County, North Carolina.