

## TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Map No. 36 R. 4

STATE OF NORTH CAROLINA—SWAIN COUNTY  
THIS DEED, Made this 4 day of March, 1944, by and between

DOCUMENTARY STAMPS \$1.10 Attached.

WILLIAM HAMPTON COLE and wife, JULIA COLE

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 SIX HUNDRED FORTY-FOUR AND 30/100 Dollars (\$644.30) 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 the Tuckasegee River, approximately 2 miles southwest of the confluence of Indian and Noland Creeks, and more particularly described as follows;

BEGINNING at a 24 inch red oak tree at the top of Tunnel Ridge, a corner of the lands of A. C. Hyatt et ux, and Phillip G. Rust, and the most northerly point of the tract herein described; thence with Phillip G. Rust's line and the top of the ridge as it meanders in a southerly direction approximately 1250 feet to a stake, a corner of the lands of Phillip G. Rust, and the A. J. Hall Heirs; thence with the A. J. Hall Heirs' line and the top of a ridge as it meanders approximately along a bearing and distance of S. 29° 00' W., 1210 feet to a point, a corner of the lands of the A. J. Hall Heirs, E. O. & A. J. Hall, and W. H. & Julyan Cole; thence with W. H. & Julyan Cole's line N. 23° 00' W., 1880 feet to a point at the top of a ridge, a corner of the lands of W. H. & Julyan Cole, and A. C. Hyatt et ux; thence with A. C. Hyatt's line and the top of the ridge as it meanders approximately along the following bearings and distances: N. 71° 00' E., 390 feet, N. 36° 00' E., 320 feet to a stake, N. 69° 00' E., 350 feet to the point of beginning, and containing 34 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 acquired by William Hampton Cole, one of the parties of the first part, by deed from H. E. Cunningham and wife, F. C. Cunningham, dated February 4, 1924, recorded in Deed Book 45, page 539, 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 an undivided 1/12 interest in and to the minerals as may be outstanding in third parties by virtue of intestate succession as heirs of William N. Cooper, deceased, the said William N. Cooper having acquired the same by virtue of the deed from John B. Allison, dated December 16, 1881, recorded in Deed Book 3, page 233, 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 William Hampton Cole who is named as one of the parties of the first part is one and the same person as the Hampton Cole who was named as grantee in the deed of record in Deed Book 45, page 539, 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 selves, 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.

(Seal)	Witnesses to signature by <u>William Hampton Cole</u> (Seal)	William Hampton Cole
(Seal)	mark of <u>Julia Cole</u> :	William Hampton Cole
(Seal)	<u>Mrs. Lessie Brooks</u> (Seal)	her
(Seal)	<u>Bryson City, N. C.</u> (Seal)	<u>Julia X Cole</u> (Seal)
(Seal)	<u>William H. Blough</u> (Seal)	mark
	<u>Bryson City, N. C.</u>	<u>Julia Cole</u> (Seal)

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, Crawford Pearson, a Notary Public for Graham County and said State, do hereby certify that William Hampton Cole and Julia Cole, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Julia Cole, wife of William Hampton Cole, 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 4 day of March, 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) My commission expires: 5-3-45

Crawford Pearson, Notary Public

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 4th day of March, A. D., 1944.

Annie Mae Truett  
Deputy Clerk Superior Court

Filed for registration on the 4 th day of March, 1944, at 3:40 o'clock P. M. and registered in the office of the Register of Deeds for Swain County, North Carolina, 7th day of March, 1944, at 4:30 o'clock P. M. in Book 67 of Deeds, and Page 187, etc.

*W. R. Welch*

D. R. Welch, Deputy

Register of Deeds,  
Swain Co., N.C.