

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Map No. 35 R. 1

STATE OF NORTH CAROLINA—SWAIN COUNTY

Documentary stamps \$1.65 attached.

THIS DEED, Made this 7th day of February, 1944, by and between

ALBERT HENCLEY and wife, MARY HENCLEY,

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 SEVENTY-ONE AND 30/100 -----Dollars (\$ 1,071.30) 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 Little Tennessee River, approximately 3/4 mile west of the confluence of the Little Laurel Creek and the Indian Camp Creek tributaries of Chambers Creek, and more particularly described as follows:

BEGINNING at a 30 inch white oak tree at the top of a ridge, a corner of the lands of the W. M. Kirkland Heirs, the Andy Pilkerton Heirs, and Harve Dills, and the most southwesterly point of the tract herein described; thence with Harve Dills' line and a hacked line N. 11° 00' E., 920 feet to a 30 inch chestnut tree; thence, leaving the hacked line, N. 58° 00' E., 150 feet to a stake in the center line of a hollow; thence with the center line of the hollow as it meanders approximately along a bearing and distance of N. 42° 00' E., 540 feet to a stake at the top of a ridge; thence with the top of the ridge as it meanders approximately along a bearing and distance of N. 18° 00' W., 520 feet to a point; thence N. 53° 00' E., 310 feet to a 12 inch white oak tree at the top of Bear Pen Ridge, a corner of the lands of Harve Dills, the Bryson City Bank, and the W. J. McClure Heirs; thence with the W. J. McClure Heirs' line and the top of the ridge as it meanders in a southeasterly direction approximately 2320 feet to a stone, a corner of the lands of the W. J. McClure Heirs, and the W. M. Kirkland Heirs; thence, leaving the ridge and with the W. M. Kirkland Heirs' line along the following bearings and distances: S. 45° 30' W., 1475 feet to a 16 inch hickory tree; N. 84° 00' W., 1590 feet to the point of beginning, and containing 75. 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 conveyed to Albert Hencley, one of the first parties hereto, by deed from Charlie Rogers and wife, Irene Rogers, dated October 29, 1942, recorded in Book 64, page 512, 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 1/2 interest in and to the minerals as may be outstanding in third parties by virtue of the reservations contained in the deed from A. B. Welch et al to T. E. McClure, dated May 10, 1884, recorded in Deed Book 4, page 539, and the deed from Thomas I. McClure to J. D. Proctor, dated January 19, 1898, recorded in Deed Book 19, page 454, both of which deeds are of record 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.

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.

(Seal)	(Seal)	s/ Albert Hencley	(Seal)
(Seal)	(Seal)	Albert Hencley	(Seal)
(Seal)	(Seal)	s/ Mary Hencley	(Seal)
(Seal)	(Seal)	Mary Hencley	(Seal)

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, Crawford Pearson, a Notary Public for Graham County and said state, do hereby certify that ALBERT HENCLEY and MARY HENCLEY, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Mary Hencley, wife of Albert Hencley, 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 7th Feb., 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 8th day of February A. D., 1944. H. W. Truett, Clerk Superior Court.

Filed for registration on the 8th day of February, 1944, at 9:55 o'clock, A. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 14 day of February, 1944, at 1:30 o'clock P. M. in Book 67 of Deeds, and Page 171, etc.

D. R. Welch, Deputy

Register of Deeds,
Swain County, N. C.