

# TENNESSEE VALLEY AUTHORITY WARRANTY DEED

STATE OF NORTH CAROLINA—SWAIN COUNTY

THIS DEED, Made this 20th day of September, 1946, by and between CHIVOUS B. COLE, and ETTA COLE, of the County of Rutherford, State of North Carolina, and TEXAS COLE,

of the County of Jackson and State of North Carolina all unmarried, as parties of the first part, and the UNITED STATES OF AMERICA as party of the second part: WITNESSETH, That the said part ies of the first part, in consideration of the sum of SIXTEEN and 43/100 Dollars (\$ 16.43) to them paid by the party of the second part, the receipt of which is hereby acknowledged, ha ve 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 1/40 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 Tuckaseegee River, approximately 1/2 mile north of the mouth of Forney Creek, and more particularly described as follows:

Beginning at a 6 inch spanish oak tree at the top of a ridge, a corner of the lands of W.H. Cole, and Texas Cole, and the most northwesterly point of the tract herein described; thence with Texas Cole's line S. 83 00' E., 940 feet to a point, a corner of the lands of Texas Cole, and the Nantahala Power & Light Company, thence with the Company's line along the following bearings and distances:

S. 38 00' E., 110 feet to a point (prev. desc. as a pipe);  
 S. 6 30' W., 498 feet to a point (prev. desc. as a pipe);  
 S. 16 00' E., 138 feet to a point (prev. desc. as a pipe);  
 S. 17 00' W., 317 feet to a point (prev. desc. as a pipe);  
 S. 4 30' W., 390 feet to a point (prev. desc. as a pipe);  
 S. 37 00' W., 262 feet to a point (prev. desc. as a pipe);  
 S. 0 30' E., 227 feet to a point (prev. desc. as a pipe);  
 S. 23 00' E., 255 feet to a point (prev. desc. as a pipe);  
 S. 24 30' W., 44 feet to a 20 inch chestnut tree;

N. 85 00' W., 400 feet to a point (prev. desc. as a 10 inch chestnut tree);

N. 56 00' W., 280 feet to a 10 inch white oak tree;

N. 89 30' W., 284 feet to a point (prev. desc. as a post) at the top of a ridge, a corner of the lands of the Nantahala Power & Light Company, and W.H. Cole; thence With W.H. Cole's line and the top of the ridge as it meanders approximately along the following bearings and distances;

N. 6 00' E., 1350 feet;

N. 23 00' E., 310 feet;

N. 20 00' W., 390 feet to the point of beginning, and containing 44.0 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 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 interest in the described tract of land was acquired by the grantor Chivous B. Cole, as one of the heirs at law of W.B. Cole, deceased, and as one of the heirs at law of Otis Quincey Cole, deceased; the interest of Texas Cole is the unassigned downer in said undivided interest as widow of W.B. Cole, Deceased; and the interest of Etta Cole is the unassigned downer in said undivided interest as the widow of Columbus Marion Cole, deceased. The title of W.B. Cole was acquired by virtue of deeds, one from James M. Parris and wife dated February 16, 1878, registered in Book 7, page 159, and a deed from J.R. Buchanan and wife, dated November 19, 1886, registered in Book 13, Page 621, Register of Deeds Office of 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 ha ve hereunto set their hand s and seal s this the day, month and year above written.

<u>Etta Cole</u> (Seal)	<u>Texas Cole</u> (Seal)	<u>Chivous B. Cole</u> (Seal)
<u>Etta Cole</u>	<u>Texas Cole</u>	<u>Chivous B. Cole</u>
(Seal)	(Seal)	(Seal)
(Seal)	(Seal)	(Seal)
(Seal)	(Seal)	(Seal)

STATE OF NORTH CAROLINA RUTHERFORD COUNTY

I, BERNICE DORSEY, a Notary Public in and for the State and County aforesaid, do hereby certify that Chivous B. Cole (unmarried), personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 20th day of September, A.D., 1946.

Bernice Dorsey  
My Commission Expires July 6, 1947

Seal Affixed.

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STATE OF NORTH CAROLINA  
RUTHERFORD COUNTY

I, Bernice Dorsey, a Notary Public in and for the State and County aforesaid, do hereby certify that Etta Cole (unmarried), personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 20th day of September, A.D., 1946.

Seal Affixed

Bernice Dorsey  
My Commission Expires July 6, 1947

Filed for registration on the 27th day of September, 1946, at 3:30 o'clock, P.M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 26th day of October, 1946, at 10:40 o'clock A in Book 67 of Deeds, and Page 263, etc.

*E. J. Deasy*

Register of Deeds.