

TENNESSEE VALLEY AUTHORITY WARRANTY DEED

Map No. 5 R.11

STATE OF NORTH CAROLINA-SWAIN COUNTY

THIS DEED, Made this 8th day of February, 1944, by and between

Mollie

JOSEPH P. CABLE and wife, ~~OLLIE~~ CABLE,

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 FORTY-NINE AND 75/100 - - - - - Dollars (\$49.75) 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 bank of Hazel Creek, approximately 3/4 mile northeast of the State Highway No. 288 bridge across Hazel Creek, and more particularly described as follows:

BEGINNING at a point in the center of a road junction and at the top of a ridge, a corner of the lands of Etta Kirkland, W. S. Calhoun, and Grady Hall; thence with Grady Hall's line and the top of the ridge as it meanders approximately along a bearing and distance of S. 86° 00' W., 1110 feet to a black oak tree, a corner of the lands of Grady Hall, and the Hazel Creek Land Company; thence, leaving the ridge, with the Company's line N. 27° 30' E., 1185 feet to a point in the center line of School House Branch witnessed by a hemlock stump, a corner of the lands of the Hazel Creek Land Company, the J.E. Coburn Heirs, and C. L. Millsaps et ux; thence with C. L. Millsaps' line and the center line of the branch as it meanders downstream approximately 685 feet to a point in the center line of a road, a corner of the lands of C. L. Millsaps et ux, and George W. Rogers; thence with George W. Rogers' line and the center line of the road as it meanders approximately along a bearing and distance of S. 17° 00' W., 150 feet, to a point; thence, leaving the road, N. 84° 00' E., 140 feet, passing a sycamore tree at 105 feet, to a point in the center line of Hazel Creek, a corner of the lands of George W. Rogers, and W. S. Calhoun; thence with W. S. Calhoun's line and the center line of the creek as it meanders downstream approximately 100 feet to a point in the prolongation of a fence line, a corner of the lands of W. S. Calhoun, and Etta Kirkland; thence with Etta Kirkland's line, a line marked by a fence, S. 86° 00' W., 145 feet to a point in the center line of a road; thence with the center line of the road as it meanders approximately along a bearing and distance of S. 14° 00' E., 330 feet, to the point of beginning, and containing 16.5 acres, more or less.

It is understood and agreed that this conveyance is made subject to such rights as may be vested in the county or state to a right of way for a public road affecting approximately 0.2 acre.

It is also 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 J. P. Cable and wife, Ollie Cable, parties of the first part hereto, by deed from J. P. Walker and wife, dated August 23, 1927, recorded in Deed Book 55, page 54, in the office of the Register of Deeds for Swain County, North Carolina.

This conveyance is made subject to the flowage easement rights described in a Grant of Flowage Easement dated July 31, 1942, from the parties of the first part hereto to the United States of America, recorded in Deed Book 66, page 123, in the office of the Register of Deeds for Swain County, North Carolina, the result of this conveyance being to merge the entire fee simple title to the above described tract of land in the United States of America.

The Joseph P. Cable who is named as one of the first parties in this deed is one and the same person as the J. P. Cable who was named as grantee in the deed of record in Deed Book 55, page 54, 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)	(Seal)	s/ Joseph P. Cable	(Seal)
(Seal)	(Seal)	JOSEPH P. CABLE	(Seal)
(Seal)	(Seal)	s/ Ollie Cable	(Seal)
(Seal)	(Seal)	OLLIE CABLE	(Seal)

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, Crawford Pearson, a Notary Public for Graham County and said State, do hereby certify that JOSEPH P. CABLE and OLLIE CABLE, his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Ollie Cable, wife of Joseph P. Cable, 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 8th day of 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.

My commission expires: 5-3-45

(SEAL AFFIXED)

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 14th day of February, A. D., 1944.

H. J. Truett  
Clerk Superior Court

Filed for registration on the 14th day of Feb., 1944, at 2:10 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 15 day of February, 1944, at 3:30 o'clock P. M. in Book 67 of Deeds, and Page 177, etc.

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