

WARRANTY DEED

(DOCUMENTARY STAMPS ATTACHED \$.55)

Tract No. FR-516

Map No. 13 R.5

STATE OF NORTH CAROLINA

COUNTY OF SWAIN

THIS DEED, Made this 24 day of January, 1944, by and between TISHUE SIZEMORE, a widow; TISHUE SIZEMORE, guardian of G. L. SIZEMORE, a minor; FLORA KIRKLAND SIZEMORE, a widow; FLORA KIRKLAND SIZEMORE, guardian of TOY SIZEMORE, OIA SIZEMORE, E. G. SIZEMORE, and MILDRED SIZEMORE, minors, 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 HUNDRED FIVE AND 56/100 Dollars (\$105.56) 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 80/900 interest in 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 1 3/4 miles west of the Bushnell Depot, and more particularly described as follows:

BEGINNING at a point in the center line of Chambers Creek at the mouth of a drain, a corner of the lands of S. C. Welch et al, and W. W. Crisp; thence with W. W. Crisp's line and the center line of the drain as it meanders upstream approximately along the following bearings and distances; North 20° 00' East, 240 feet; North 32° 00' West, 190 feet; North 4° 00' East, 765 feet; North 12° 00' West, 910 feet to a point witnessed by a 1 1/4 inch hickory tree, a corner of the lands of W. W. Crisp, and Martha Jane Anthony; thence, leaving the drain and with Martha Jane Anthony's line, South 51° 00' East, 920 feet to a point, a corner of the lands of Martha Jane Anthony, and Roxie McClure; thence with Roxie McClure's line South 80° 00' East, 800 feet to a point, a corner of the lands of Roxie McClure, and the J. H. Sizemore Heirs; thence with the J. H. Sizemore Heirs' line South 54° 30' West, 1080 feet to a white oak tree at a fence corner; thence with a fence line South 27° 00' East, 425 feet to a fence angle; thence South 24° 00' East, 395 feet to a fence corner; thence North 71° 00' East, 45 feet to a fence angle; thence, leaving the fence line, South 18° 00' East, 15 feet, crossing Chambers Creek, to a point; thence South 71° 00' West, 45 feet to a point; thence North 21° 00' West, 5 feet to a point in the center line of Chambers Creek; thence with the center line of the creek as it meanders downstream approximately 80 feet to a point; thence, leaving the creek, South 40° 00' East, 90 feet to a point on the south edge of a public road; thence South 46° 00' East, 240 feet to an 8 inch chestnut stump by The Spruce Pine Spring and at the top of a ridge, a corner of the lands of the J. H. Sizemore Heirs, and Luther Anthony; thence with Luther Anthony's line South 53° 30' West, 55 feet to a point in the center line of Moon Branch; thence with the center line of the branch as it meanders upstream approximately 830 feet to a point witnessed by a 12 inch dogwood tree, a corner of the lands of Luther Anthony, and Fred Estes, thence with Fred Estes' line South 54° 00' West, 540 feet to a chestnut stump, a corner of the lands of Fred Estes, and the Nantahala Power & Light Company; thence with the said Company's line South 34° 22' West, 86 feet to a point, a corner of the lands of the Nantahala Power & Light Company, and S. C. Welch et al; thence with S. C. Welch's line North 42° 00' West, 1215 feet to a point at the end of a stone fence; thence with the stone fence for the first approximate 360 feet, North 28° 00' West, 410 feet, crossing a public road at approximately 380 feet, to the point of beginning, and containing 49.3 acres, more or less, subject to such rights as may be vested in the county or state to a public road leading up Chambers Creek which affects approximately 1.1 acres.

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' West.

The interests of Tishue Sizemore and G. L. Sizemore in the above described tract of land were acquired by virtue of descent from J. H. Sizemore, who acquired title by descent from E. S. Sizemore and by deed from Chester Sizemore and wife, Martha, dated May 14, 1925, and recorded in Book 64, Page 626, in the office of the Register of Deeds of Swain County, North Carolina; the interests of Flora Kirkland Sizemore, Ola Sizemore, Toy Sizemore, E. G. Sizemore, and Mildred Sizemore were acquired by virtue of descent from James Sizemore, an heir of the above named J. H. Sizemore.

Tishue Sizemore, as guardian of G. L. Sizemore, and Flora Kirkland Sizemore, as guardian of Ola Sizemore, Toy Sizemore, E. G. Sizemore, and Mildred Sizemore, both having qualified as such guardians on January 6, 1944, also join in this deed to convey all the right, title, and interest of the said G. L. Sizemore, Ola Sizemore, Toy Sizemore, E. G. Sizemore and Mildred Sizemore in the property aforesaid by authority and direction of the decree entered in Special Proceedings Docket 4, Page 517 et seq.; Superior Court of Swain County, North Carolina, styled "In the Matter of G. L. Sizemore, by his Guardian, Tishue Sizemore; and Ola Sizemore, Toy Sizemore, E. G. Sizemore, and Mildred Sizemore, by their Guardian, Flora Kirkland Sizemore, Ex Parte", to which record reference is made, hereby acknowledging receipt of the purchase money as in said decree provided.

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 an undivided 80/900 interest in 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.

Witnesses to signatures by mark of
Tishue Sizemore;

Clarence P. Garrett, Bryson City, N.C.
Will W. Wiggins, Bryson City, N.C.

her mark
s/ Tishue X Sizemore (SEAL)
Tishue Sizemore
her mark
s/ Tishue X Sizemore (SEAL)
Tishue Sizemore, guardian of G. L. Sizemore

s/ Flora Kirkland Sizemore (SEAL)
Flora Kirkland Sizemore

s/ Flora Kirkland Sizemore (SEAL)
Flora Kirkland Sizemore, guardian of
Ola Sizemore, Toy Sizemore, E. G. Sizemore, and Mildred Sizemore

STATE OF NORTH CAROLINA

COUNTY OF SWAIN

I, Will W. Wiggins, a Notary Public, in and for the State and County aforesaid, do hereby certify that TISHUE SIZEMORE, a widow; TISHUE SIZEMORE, as guardian of G. L. Sizemore; FLORA KIRKLAND SIZEMORE, a widow; and FLORA KIRKLAND SIZEMORE, as guardian of Ola Sizemore, Toy Sizemore, E. G. Sizemore, and Mildred Sizemore, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 24 day of January, A. D., 1944.

(SEAL AFFIXED)
My Commission Expires February 20, 1944


Will W. Wiggins, Notary Public

The foregoing certificate of Will W. Wiggins, a Notary Public of Swain County, North Carolina, attested by his notarial seal, is adjudged to be correct. Let the instrument, and the certificate, be registered.

WITNESS my hand this 24 day of January, A. D., 1944.

Annie Mae Truett
Deputy Clerk Superior Court

Filed for registration on the 24 day of January, 1944, at 4:48 o'clock, P. M., and registered in the office of the Register of Deeds for Swain County, North Carolina, 25 day of January, 1944, at 11:20 o'clock, A. M., in Book 68 of Deeds, and Page 382, etc.


Deputy Register of Deeds
Swain County, North Carolina