

WARRANTY DEED

Tract No. FR-516
Map No. 13 R.5

(DOCUMENTARY STAMPS ATTACHED \$.55)

STATE OF NORTH CAROLINA

SWAIN COUNTY

THIS DEED, Made this 10th day of November, 1943, by and between TISHUE SIZEMORE, a widow; HESTER SIZEMORE FULLER and husband, GARFIELD FULLER; BALIS SIZEMORE and wife, SALLIE KIRKLAND SIZEMORE; OMAY S. CABLE and husband, ELLIS CABLE; ALMA S. TIPTON and husband, HAMPTON TIPTON; VINCENT SIZEMORE and wife, VINCY TIPTON SIZEMORE; EARL SIZEMORE, a single man, by TISHUE SIZEMORE, his attorney in fact; and CLIFFORD SIZEMORE, a single man, by TISHUE SIZEMORE, his attorney in fact, 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 THREE HUNDRED SEVENTY AND 01/100 Dollars (\$370.01) 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 280/900 interest in a certain tract 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,

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and S. C. Welch et al; thence with S. C. Welch's line North $42^{\circ} 00'$ 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 $28^{\circ} 00'$ 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 road which leads up Chambers Creek affecting 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 $79^{\circ} 00'$ West.

The undivided 280/900 interest in the above described tract of land was acquired by the parties of the first part 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.

TO HAVE AND TO HOLD the aforesaid tract 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.

s/ Omay S. Cable Omay S. Cable	(SEAL)	s/ Tishue ^{her} (x) Sizemore mark Tishue Sizemore	(SEAL)
s/ Ellis Cable Ellis Cable	(SEAL)	s/ Earl Sizemore Earl Sizemore	(SEAL)
s/ Alma S. Tipton Alma S. Tipton	(SEAL)	By /s/ Tishue Sizemore ^{her} (x) mark Tishue Sizemore, attorney in fact for Earl Sizemore	(SEAL)
s/ Hampton Tipton Hampton Tipton	(SEAL)		
s/ Vincent Sizemore Vincent Sizemore	(SEAL)	s/ Clifford Sizemore Clifford Sizemore	(SEAL)
s/ Vincy Tipton Sizemore Vincy Tipton Sizemore	(SEAL)	By /s/ Tishue Sizemore ^{her} (x) mark Tishue Sizemore, attorney in fact for Clifford Sizemore	(SEAL)
s/ Balis Sizemore Balis Sizemore	(SEAL)	s/ Hester Sizemore Fuller Hester Sizemore Fuller	(SEAL)
s/ Sallie Kirkland Sizemore Sallie Kirkland Sizemore	(SEAL)	s/ Garfield Fuller Garfield Fuller	(SEAL)

Witness to signatures and marks of
Tishue Sizemore:

Clarence P. Garrett, Bryson City, N. C.

Crawford Pearson, Bryson City, N. C.

STATE OF NORTH CAROLINA, SWAIN COUNTY

I, Crawford Pearson, a Notary Public in and for Graham County, N. C., do hereby certify that TISHUE SIZEMORE, attorney in fact for CLIFFORD SIZEMORE and EARL SIZEMORE, personally appeared before me this day and, being by me duly sworn, states that she executed the foregoing and annexed instrument for and in behalf of Clifford Sizemore and Earl Sizemore, and that her authority to execute and acknowledge said instrument is contained in two instruments duly executed, acknowledged, and recorded in the office of the Register of Deeds of Swain County, North Carolina, on the 31 day of August, 1943, and that this instrument was executed under and by virtue of the authority given her by said instruments, granting her power of attorney; that the said Tishue Sizemore acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed, for and in behalf of the said Clifford Sizemore and Earl Sizemore.

WITNESS my hand and official seal, this 20 day of Nov., 1943.

Crawford Pearson

Notary Public

(SEAL AFFIXED.) My commission expires:

5-3-45

I, Crawford Pearson, a Notary Public for Graham County, N. C., do hereby certify that TISHUE SIZEMORE, a widow; HESTER SIZEMORE FULLER and husband, GARFIELD FULLER; BALIS SIZEMORE and wife, SALLIE KIRKLAND SIZEMORE; VINCENT SIZEMORE and wife, VINCY TIPTON SIZEMORE; OMAY S. CABLE and husband, ELLIS CABLE; and ALMA S. TIPTON and husband, HAMPTON TIPTON, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Hester Sizemore Fuller, wife of Garfield Fuller; Sallie Kirkland Sizemore, wife of Balis Sizemore; Vincy Tipton Sizemore, wife of Vincent Sizemore; Omay S. Cable, wife of Ellis Cable; and Alma S. Tipton, wife of Hampton Tipton, being by me privately examined, separate and apart from their said husbands, touching their voluntary execution of the same, do state that they signed the same freely and voluntarily, without fear or compulsion of their said husbands or any other person, and that they do still voluntarily assent thereto.

WITNESS my hand and official seal this 10 day of Nov., 1943.

(SEAL AFFIXED.) My commission expires:
5-3-45

Crawford Pearson

STATE OF NORTH CAROLINA, SWAIN COUNTY

The foregoing certificates of Crawford Pearson, a Notary Public of Graham County, North Carolina, authorized to take acknowledgments in Swain County under Section 3176, N. C. Code, attested by his notarial seal, are adjudged to be correct. Let the instrument, and the certificates, be registered.

WITNESS my hand this 22 day of November, A. D., 1943.

H. J. Truett
Clerk Superior Court

Filed for registration on the 22nd day of Nov., 1943, at 9:35 o'clock A.M., and registered in the office of the Register of Deeds of Swain County, North Carolina, 22 day of November, 1943, at 1:15 o'clock P.M., in Book 68 of Deeds and Page 214, etc.


H. J. Truett
Deputy Register of Deeds, Swain County, N. C.