

TENNESSEE VALLEY AUTHORITY ✓ (DOCUMENTARY STAMPS ATTACHED \$.55)
FR-727
W A R R A N T Y D E E D Map 23 R.1

STATE OF NORTH CAROLINA)
)
SWAIN COUNTY)

THIS DEED, Made this 21st day of December, 1943, by and between RUBY HYDE CALHOUN, as legal guardian of James Calhoun and Keith Max Calhoun, minors, of the County of Swain and State of North Carolina, as party of the first part, and the UNITED STATES OF AMERICA as party of the second part:

WITNESSETH: That Whereas, James Calhoun and Keith Max Calhoun are the owners of an undivided 1/11 interest in the property hereinafter described, subject to the unassigned dower of Mary C. Calhoun; and

WHEREAS, Ruby Hyde Calhoun was duly appointed and qualified as the legal guardian of said James Calhoun and Keith Max Calhoun, minors, by the Superior Court of Swain County, North Carolina, on the 1st day of September, 1943; and

WHEREAS, Ruby Hyde Calhoun did, on the 7th day of December, 1943, institute a special proceeding in the Superior Court of Swain County, North Carolina, for the purpose of obtaining a decree authorizing the sale of the interests of her said wards, James Calhoun and Keith Max Calhoun, to the second part hereto, in and to the tract of land hereinafter described; and

WHEREAS, said special proceeding came on for hearing and was duly heard on the 7th day of December, 1943, before H. J. Truett, Clerk of the Superior Court of Swain County, North Carolina, and upon said hearing, said Clerk adjudged and decreed that the sale to the second party hereto be ratified and confirmed, and further adjudged and decreed that Ruby Hyde Calhoun, the first party hereto, as guardian of her said wards, James Calhoun and Keith Max Calhoun, upon payment to her of the sum of Two Hundred Eighty-five and 05/100 Dollars (\$285.05) for the use and benefit of her said wards, make, execute, and deliver a deed conveying all right, title, and interest of her said wards to the United States of America in fee simple; and

WHEREAS, said decree of the Clerk of the Superior Court of Swain County, North Carolina, was confirmed by the Honorable Felix E. Alley, resident judge of the 20th Judicial District on the 13th day of December, 1943; and

WHEREAS, the Tennessee Valley Authority, acting for and on behalf of the United States of America, has paid to the first party hereto, as guardian, and for the use and benefit of her wards, James Calhoun and Keith Max Calhoun, said sum of Two Hundred Eighty-five and 05/100 Dollars (\$285.05).

NOW THEREFORE, Ruby Hyde Calhoun, the first party hereto, as legal guardian of James Calhoun and Keith Max Calhoun, in pursuance and by virtue of the above mentioned decree, and for and in consideration of the said sum of Two Hundred Eighty-five and 05/100 Dollars (\$285.05) paid to her as such guardian for the use and benefit of her said wards as in said decree provided, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does grant, bargain, sell and convey unto the United States of America, its successors and assigns, all the right, title and interest, it being an undivided 1/11 interest, subject to the unassigned dower of Mary C. Calhoun, 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 Little Tennessee River, approximately 1 mile north of the mouth of Stecoah Creek, and more particularly described as follows:

Beginning at a point in the center line of State Highway No. 288, a corner of the lands of L. B. Calhoun et ux, and L. B. Calhoun; thence with L. B. Calhoun's line and the center line of the road as it meanders in a general westerly direction approximately 1060 feet to a point, a corner of the lands of L. B. Calhoun, the Nantahala Power & Light Company, and the J. M. Crisp Heirs et al; thence, leaving the road, with the J. M. Crisp Heirs et al's line S. 89° 23' W., 361 feet to a point, a corner of the lands of the J. M. Crisp Heirs et al, and the J. M. Crisp Heirs; thence with the J. M. Crisp Heirs' line N. 63° 14' W., 540 feet to a point; thence N. 13° 00' E., 650 feet to a point; thence N. 50° 00' E., 175 feet to a pine stump; thence with the J. M. Crisp Heirs, and Guy Posey et al's line N. 16° 00' E., 1450 feet to a point, a corner of the lands of Guy Posey et al, and A. J. Posey; thence with A. J. Posey's line, S. 72° 00' E., 100 feet to a stake at the top of a ridge; thence with the top of the ridge as it meanders approximately along the following bearings and distances;

S. 79° 00' E., 430 feet; S. 33° 00' E., 170 feet; to a 2 $\frac{1}{4}$ inch oak stump; thence, leaving the top of the ridge, N. 64° 00' E., 500 feet to a point in a fence line, a corner of the lands of A. J. Posey, and W. S. Calhoun et ux; thence with W. S. Calhoun's line and the fence line S. 20° 00' W., 670 feet to a fence corner; thence N. 76° 00' E., 220 feet to a fence corner; thence S. 31° 00' E., 400 feet, leaving the fence at approximately 190 feet, to a fence angle, a corner of the lands of W. S. Calhoun et ux, and L. B. Calhoun et ux; thence with L. B. Calhoun's line and the fence line S. 19° 00' E., 660 feet to a 12 inch black oak tree at a fence corner; thence, leaving the fence line, with a hacked line S. 55° 00' W., 520 feet to a stake; thence S. 24° 00' W., 105 feet to a stake; thence S. 25° 00' W., 50 feet to a 6 inch black oak tree; thence S. 53° 00' W., 205 feet to a stone; thence, leaving the hacked line, S. 14° 00' E., 145 feet to the point of beginning, and containing 75 acres, more or less, subject to such rights as may be vested in the county or state to State Highway No. 288 which affects approximately 0.8 acre.

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.

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 party of the first part, for herself, her heirs, successors, administrators and assigns, covenant with the said party of the second part, its successors and assigns, that her said wards are seized of said land and premises in fee, subject to the unassigned dower of Mary C. Calhoun; that she has a right to convey the same in fee simple; that the same are free and clear from all encumbrances; and that she will warrant and defend the title to same against the lawful claims of all persons whomsoever, but warrants said title only so far as she, as legal guardian of James Calhoun and Keith Max Calhoun, should or ought to warrant, but no further or otherwise.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal this the day, month and year above written.

s/ Ruby Hyde Calhoun (SEAL)
RUBY HYDE CALHOUN, as legal guardian
of James Calhoun and Keith Max Calhoun,
minors

STATE OF NORTH CAROLINA

SWAIN COUNTY

I, Will W. Wiggins, a Notary Public in and for the State and County aforesaid, do hereby certify that RUBY HYDE CALHOUN, Guardian of James Calhoun and Keith Max Calhoun, minors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 21st day of December, A. D., 1943.

(SEAL AFFIXED)

Will W. Wiggins, Notary Public

My Commission Expires February 20, 1944

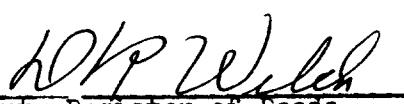
STATE OF NORTH CAROLINA)
)
SWAIN COUNTY)

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

WITNESS my hand this 21st day of December, A. D., 1943.

H. J. Truett, Clerk Superior Court

Filed for registration on the 21 day of Dec., 1943, at 1:40 o'clock, P.M., and registered in the office of the Register of Deeds for Swain County, N.C., 28 day of December, 1943, at 11:00 o'clock A.M., in Book 68 of Deeds, and Page 308, etc.


Deputy Register of Deeds
Swain County, North Carolina

NORTH CAROLINA

SWAIN COUNTY

THIS DEED, made this the 28th day of December, 1943, by RALPH C. BRENDEL and wife, ETTA BRENDEL, of Swain County, North Carolina, parties of the first part, to FRANK SMITH and wife, JANNIE ELIZABETH SMITH, of Swain County, North Carolina, parties of the second part,