

NORTH CAROLINA, : IN THE SUPERIOR COURT  
BUNCOMBE COUNTY. : BEFORE THE CLERK.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

FINAL JUDGMENT

HEIRS AT LAW OF W.E.QUEEN, viz.: -  
ALICE QUEEN (WIDOW), BASCOMBE QUEEN  
AND WIFE, MARY QUEEN, AZALEA REAGAN AND HUSBAND,  
J.H.REAGAN, H.S. QUEEN AND WIFE, DORA QUEEN,  
DORA SHERRILL AND HUSBAND, BERT SHERRILL,  
D.H.QUEEN AND WIFE, LORA QUEEN, JAMES R.  
REAGAN, META BRADLEY, PAUL BRADLEY (MINOR),  
MORRIS BRADLEY (MINOR); JOHN C. REAGAN AND WIFE,  
MELINDA REAGAN, MELVIN REAGAN AND WIFE, MINNIE  
REAGAN, GEORGE W. BECK AND WIFE, CORDELIA BECK,  
JAMES WILSON AND WIFE, LIZZIE WILSON, M.W.BECK AND  
WIFE, JULIA BECK, HEIRS AT LAW OF J.H.CONNOR,  
viz.: - ALICE AYERS, L.S.CONNOR AND WIFE, MINNIE C  
CONNOR, AVERY CONNOR AND WIFE, JOHNIE CONNOR,  
MINYARD CONNOR AND WIFE, LASSIE CONNOR, EMMA  
FISHER AND HUSBAND, BEN FISHER, JERVIS CONNOR,  
LEE CONNOR, JOEL CONNOR (MINOR), RUBY CONNOR (MINOR);  
J.D.SMITH AND WIFE, EMMA SMITH, R.L.BURGIN, OSCAR  
McDONALD, TRUSTEE FOR R.L.BURGIN, HIPPS & BURGIN  
(A PARTNERSHIP), OSCAR McDONALD, TRUSTEE FOR HIPPS  
& BURGIN, W.H.DUNCAN, THURMAN LEATHERWOOD, TRUSTEE  
FOR W.H.DUNCAN, R.F.HALL, T.E.SMITH, BRYSON CITY  
MOTOR COMPANY, C.A.AYERS, N.A.HALL, DR. W.H.TID-  
MARSH, DR. J.L.REEVES, and J.H.REAGAN,

Respondents.

This cause coming on to be heard before the undersigned Clerk of the Superior Court of Buncombe County, North Carolina, on this the 20th day of April, 1931, and being heard, and the Court having found, and hereby finding, the facts as follows; to-wit:

1. That this action and proceeding is duly constituted in this Court, that is to say, that summons herein was duly issued on the 2nd day of June, 1930, and that the duly verified petition of the State of North Carolina was on said date duly filed in this Court, and that said summons and said duly verified petition herein have been duly served upon the respondents herein, and every of them, in all respects as required by law, and that the notice required by Chapter 48, Section 19, of the Public Laws of North Carolina, Session of 1927, has been duly given and published in all respects as therein required, whereby all persons whom it may concern and all persons having or claiming any estate or interest in the lands and premises sought to be condemned in this proceeding have been duly notified and required to appear in this proceeding at the time and place therein mentioned and to make such answer, defence or plea as they may be advised; and that certain of said respondents shown in said petition and said summons to be non-residents of the State of North Carolina have been duly served by publication, as required

by law, and that the time for answering was extended by an order made by the Clerk of the Superior Court of Buncombe County, allowing all of the respondents to appear and answer the petition on or before July 21, 1930; that Hipps & Burgin, Oscar McDonald and R.L.Burgin filed an answer in said proceeding, date June 11, 1930, setting up their claim to the interest in the lands described in Paragraph 13 of the petition, being the lands owned and claimed by J.D.Smith and wife, Emma Smith; that N.A.Hall filed an answer in said proceeding, dated June 26, 1930, setting up his claim to an interest in the lands described in Paragraph 13 of the petition, being the lands owned and claimed by J.D.Smith and wife, Emma Smith; that W.H.Duncan filed an answer in said proceeding, dated July 7, 1930, setting up his claim to an interest in the lands described in Paragraph 13 of the petition, being the lands owned and claimed by J.D.Smith and wife, Emma Smith; that J.L.Reeves and H.W.Tidmarsh filed an answer in said proceeding, dated July 9, 1930, setting up their claim to an interest in the lands described in Paragraph 13 of the petition, being the lands owned and claimed by J.D.Smith and wife, Emma Smith; that J.B.Smith and wife, Emma Smith filed an answer in said proceeding, dated July 25, 1930, setting up their claim to the lands described in Paragraph 13 of the Petition, and being Tracts Nos. 73 and 75 of the survey made by the North Carolina Park Commission; that the Heirs at law of J.H.Connor appeared and filed an answer in this proceeding, dated July 25, 1930, setting up their claim to the lands described in Paragraph 11 of the petition, being Tract No. 50 of the survey made by the North Carolina Park Commission; that the Heirs at law of W.E.Queen filed an answer in this proceeding, dated July 25, 1930, setting up their claim to the lands decribed in Paragraph 5 of the petition, being Tract No. 11 of the survey made by the North Carolina Park Commission; that L.S.Connor and wife Minnie Connor filed an answer in this cause, dated July 25, 1930, setting up their claim to the lands described in Paragraph 12 of the petition, being Tract No. 54 of the survey made by the North Carolina Park Commission; all of which will more particularly appear by the records and files of the Court in this cause, and the Court hereby finds as a fact that no other person, firm or corporation whomsoever has appeared herein or has, in any manner, asserted any interest or claim in the subject matter of this action and proceeding.

2. That heretofore, to-wit, on the 31st day of January, 1931, (the time for answering having fully elapsed and expired as to all and every of the respondents summined herein and of all other persons whom it may concern notified by the above receipted publication and notice herein), the undersigned Clerk of the Superior Court of Buncombe County, North Carolina, duly made and entered in interlocutory judgment and order in this cause, whereby it was duly ordered and adjudged, inter alia, that FRANK JORDAN, E. GROVER ROBIKSON and T.LUTHER MANEY be, and they were, duly appointed commissioners by the Court, and they were required fairly and impartially to appraise the lands and interests in lands mentioned in the petition herein, and to ascertain and determine the compensation which ought justly to be made by the petitioner to the party or parties owning or interested in the real estate so appraised by them, and to make a report to the Court therein, according to law, and said commissioners were required, before entering upon their duties, to take and subscribe an oath, in form of law, that they would fairly and impartially assess and award the compensation aforesaid, as required by law, all of which will more fully appear by reference to said order, and all and singular the requirements thereof, as the same may appear upon the records and files of this cause, and the said commissioners proceeded, having first been duly sworn, conformably to the provisions and requirements of said order.

to duly appraise the same, as required by said order, and thereafter, to-wit, on the 27th day of March, 1931, the said commissioners made written report of their said proceedings and returned the same to the Court, together with the evidence taken by them, as required by law and <sup>the</sup> order aforesaid, all of which will more particularly appear by the records of the proceedings in this cause, which are hereby particularly referred to.

3. That said commissioners and appraisers, by their report in the last preceding paragraph hereof mentioned, appraised, ascertained and ~~and~~ determined the compensation which ought justly to be made by the petitioner or the party or parties owning or interested in the lands and premises described in the petition and so appraised by them separately, as follows:-

(a) That they estimated, appraised and assessed the compensation and damages for the first tract described in the petition in Paragraph 5 thereof, being the lands owned and claimed by the Heirs at law of W.E.Queen, and being Tract No. 11 of the survey made by the North Carolina Park Commission, at the sum of TWELVE THOUSAND and 00/100 DOLLARS (\$12,000.00).

(b) That they estimated, appraised and assessed the compensation and damages for the second tract described in said petition in Paragraph 6 thereof, being the lands owned and claimed by John C.Reagan and wife, Melinda Reagan, and being Tract No. 24 of the survey made by the North Carolina Park Commission, at the sum of EIGHT THOUSAND and 00/100 DOLLARS (\$8,000.00).

(c) That they estimated, appraised, and assessed the compensation and damages for the third tract described in said petition in Paragraph 7 thereof, being the lands owned and claimed by Melvin Reagan and wife, Minnie Reagan, and being a part of Tract No. 25 of the survey made by the North Carolina Park Commission, at the sum of SIX THOUSAND and 00/100 DOLLARS (\$6,000.00).

(d) That they estimated, appraised and assessed the compensation and damages for the forth tract described in said petition in Paragraph 8 thereof, being the lands owned and claimed by George W.Beck and wife, Cordelia Beck, and being Tracts Nos. 39 and 39a of the survey made by the North Carolina Park Commission, at the sum of FIVE THOUSAND and 00/100 DOLLARS (\$5,000.00).

39a  
(e) That they estimated, appraised and assessed the compensation and damages for the fifth tract described in said petition, the same being set out in Paragraph 9 thereof, and being the lands owned and claimed by James Wilson and wife, Lizzie Wilson, and being Tract No. 40 of the survey made by the North Carolina Park Commission, at the sum of THREE THOUSAND, FIVE HUNDRED and 00/100 DOLLARS (\$3,500.00).

(f) That they did not appraise the sixth tract described and referred to in Paragraph 10 of the petition herein, for the reason that the same was withdrawn from their consideration in this proceeding, the owners, M.W.Beck and wife, Julia Beck, having conveyed said tract of land to the petitioner, the State of North Carolina, at a price agreed upon between them.

(g) That they estimated, appraised and assessed the compensation and damages for the seventh tract described in said petition in Paragraph 11 thereof, being the lands owned and claimed by the Heirs at law of J.H.Connor, and being Tract No. 50 of the survey made by the North Carolina Park Commission, at the sum of ELEVEN THOUSAND and 00/100 DOLLARS (\$11,000.00).

(h) That they estimated, appraised and assessed the compensation and damages for the eighth tract described in said petition in Paragraph 12 thereof, being the lands owned and claimed by L.S.Connor and wife, Minnie Connor, and being Tract No. 54 of the

survey made by the North Carolina Park Commission, at the sum of TWO THOUSAND, FIVE HUNDRED and 00/100 DOLLARS (\$2,500.00).

(i) That they estimated, appraised and assessed the compensation and damages for the ninth tract described in said petition in Paragraph 13 thereof, being the lands owned and claimed by J.D. Smith and wife, Emma Smith, and being Tract No. 75 of the survey made by the North Carolina Park Commission and known as the "J.D.S. McMahan Tract," and also Tract No. 73 of the survey made by the North Carolina Park commission and known as the "Ravensford Church Tract," at the sum of EIGHT THOUSAND and 00/100 DOLLARS (\$8,000.00).

That the said commissioners found ~~NO~~ SPECIAL BENEFITS were assessible against any of said lands.

4. That none of said respondents has filed any exceptions or appeals to said report within the time allowed by law.

5. That the lands described in the petition lie wholly within the boundaries of the proposed Great Smoky Mountains National Park as defined ~~and described~~ and delineated in the Act of the General Assembly of North Carolina, entitled, "An Act to Provide for the Acquisition of Parks and Recreational Facilities in the Great Smoky Mountains of North Carolina," ratified on the 25th day of February, 1927, the same being Chapter 48 of the Public Laws of North Carolina, Session of 1927, and particularly in Section 4 of said act, and that all of said lands are embraced within the area of 214,000 acres of land situate in the State of North Carolina designated by the Secretary of the Interior of the United States under authority of the Act of Congress mentioned in the statute aforesaid, namely, Chapter 48, Public Laws of North Carolina, Session of 1927, as properly constituting a portion of the said Great Smoky Mountains National Park, all of which will more particularly appear by reference to said Act of Congress and to said Chapter 48, Public Laws of North Carolina, Session of 1927, aforementioned.

6. That the right eminent domain appertains to and resides in the petitioner as a sovereign state, and that the petitioner has these other and further rights and powers to condemn and appropriate the lands described in the petition for the purposes in said petition mentioned and enumerated under and by virtue of the statute aforementioned.

7. That it is both lawful and necessary for the petitioner to condemn the lands described in the petition for the purposes therein expressed and declared, and that the petitioner is entitled to the relief demanded in the petition:

NOW, THEREFORE, IN THE PREMISES AFORESAID AND UPON MOTION OF COUNSEL FOR THE PETITIONER, IT IS CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT, as follows:-

I.

That the interlocutory judgment and order appointing commissioners in this cause, of date the 31st day of January, 1931, hereinbefore referred to, be, and the same hereby is, in all respects, approved, ratified and confirmed.

II.

That the aforementioned report of said commissioners and appraisers, as the same appears in the records and files of this cause, be, and the same hereby is, in all respects, approved, ratified and confirmed.

III.

That the petitioner forthwith pay into the registry of this Court in full of the compensation which ought justly to be made by the petitioner to the party or parties owning or interested in the lands described in the petition and so appraised by said commissioners and conformable to the report of said commissioners, that is to say:-

(1) For the first tract described in said petition, being Tract No. 11 of the survey made by the North Carolina Park Commission, the sum of TWELVE THOUSAND and 00/100 DOLLARS (\$12,000.00).

(2) For the second tract described in said petition, being Tract No. 24 of the survey made by the North Carolina Park Commission, the sum of EIGHT THOUSAND and 00/100 DOLLARS (\$8,000.00).

(3) For the third tract described in said petition, being part of Tract No. 25 of the survey made by the North Carolina Park Commission, the sum of SIX THOUSAND and 00/100 DOLLARS (\$6,000.00).

(4) For the fourth tract described in said petition, being Tracts Nos. 39 and 39a of the survey made by the North Carolina Park Commission, the sum of FIVE THOUSAND and 00/100 DOLLARS (\$5,000.00).

(5) For the fifth tract described in said petition, being Tract No. 40 of the survey made by the North Carolina Park Commission, the sum of THREE THOUSAND, FIVE HUNDRED and 00/100 DOLLARS (\$3,500.00).

(6) For the seventh tract described in said petition, being Tract No. 50 of the survey made by the North Carolina Park Commission, the sum of ELEVEN THOUSAND and 00/100 DOLLARS (\$11,000.00).

(7) For the eighth tract described in said petition, being Tract No. 54 of the survey made by the North Carolina Park Commission, the sum of TWO THOUSAND, FIVE HUNDRED and 00/100 DOLLARS (\$2,500.00).

(8) For the ninth tract described in said petition, being Tracts Nos. 75 and 73 of the survey made by the North Carolina Park Commission, the sum of EIGHT THOUSAND and 00/100 DOLLARS (\$8,000.00).

The amounts hereinbefore set out represent the amounts for which said several tracts were appraised by said commissioners and the said amounts of money to be paid out and disposed of under the orders of this Court to the party or parties, person or persons entitled thereto, as their interest or interests severally may be made to appear.

#### IV.

That upon the payment into Court by the petitioner of the amounts of money aforesaid, as particularly set forth in the last preceding section hereto, as hereinbefore and hereby required, the title to all and singular the lands, premises and real estate described in the petition and hereinafter more particularly described, shall, eo instanti pass to and vest in the petitioner, the State of North Carolina, in fee simple, for the uses and purposes expressed and declared in said petition and in Chapter 48, Public Laws of North Carolina, Session of 1927, free and discharged of and from all adverse claims, liens and encumbrances whatsoever, and the respondents and all other persons whomsoever, as well such person or persons not parties to this proceeding, if any, as the parties hereto, are forever barred from claiming or asserting any manner of estate or interest in said lands, either legal or equitable, whatsoever, the person or persons not parties hereto, having or claiming such estate or interest, if any, being hereby remitted solely to the right of recourse upon the money so paid into Court by the petitioner, and to follow said moneys, or any part thereof, into the hands of any person or persons having the same without good right thereto, as provided by law.

#### V.

That the lands described in the petition, the title to which, through and by virtue of the proceedings had in this cause, becomes vested in the petitioner, the State of North Carolina, are more particularly described as follows:-

Tract No. 1 being Tract No. 11as shown by survey by North CarolinaPark Commission and described as follows:-

Lying on the waters of Ocona Lufty River, at the mouth of Bradley Fork, BEGINNING at Corner 1, which is corner 3 of the A.A.Carver Tract (8), a Maple stump on East bank of Bradley Fork; set a locust post scribed C. A 6" locust, blazed and scribed B.T.-C, bears S. 18-00 E. .22 chain distant; thence, with five lines of the A.A.Carver Tract, S. 80-04 E., 5.69 chains, Corner 2, a 6" white oak, with corner marks; a 6" chestnut bears S. 61-00 E. .50 chain distant; N. 5-23 E., 2.71 chains, Corner 3, a chestnut stump shown by A.A.Carver as his corner. A 6" white oak, blazed and scribed B.T.-C, bears S. 76-00 E., .30 chain distant; N. 65-58 E., 10.39 chains, stream flows N.W., 18.78 chains, Corner 4, a point with witnesses, set a chestnut post scribed C-5, a 14" spanish oak, blazed and scribed B.T.C-5, bears S. 80-00 E., N. 27-41 E., 4.11 chains, Corner 5, a point with witnesses, set a post scribed C-4, an 8" black gum, blazed and scribed B.T.-C-4, bears East .05 chains distant, N. 34-40 E., 11.68 chains, stream flows N.W.; 12.68 chains, stream flows S. 25-00 W. 22.30 chains, Corner 6, which is Corner 3, of the James A.Martin Tract (2), a point with witnesses. Set a post scribed C-3. A 12" hickory, blazed and scribed B.T.C-3, bears S. 61-00 E., 32chain distant; a 16" black oak, blazed and scribed B.T.C-3, bears S. 29-00 W. .40 chain distant; thence with eight lines of the James A.Martin Tract (2), N., 46-34 E. 8.75 chains, Corner 7, a point at intersection of marked lines, set a post in a mound of stones, a 20" poplar bears N. 10-00 E. .20 chain distant; N. 4-43 E., 4.05 chains, stream flows west; 13-95 chains, Corner 8, a spanish oak stump, with witnesses, on a ridge, set a post in a mound of stones, a 16" spanish oak bears S. 86-00 W. .05 chain distant; a 16" spanish oak bears S. 15-00 E. .30 chain distant; N. 12-45 E., 17.26 chains, Corner 9, a small white oak sapling with marks and witnesses, on steep west slope, a 5" black oak bears S. 30-00 E., .10 chain distant; a 4" hickory bears N. 50-00 E. .05 chain distant; S. 71-03 E., 28.41 chains, Corner 10, a small dead chestnut, with marks and witnesses, in a flat, set a chestnut post, a 20" white oak bears N. 20-00 E. .40 chain distant, S. 29-11 W., 50.97 chains Corner 11, a 26" scarlet oak with old marks and witnesses, a 30" chestnut bears S. 35-00 E., 40 chain distant, S. 33-44 E., 10.57 chains, Corner 12, a rock with witnesses, on a ridge bearing South; a 30" white oak bears S. 60-00 W., .20 chain distant, a 20" white oak bears N. 10-00 E. .27 chain distant, S. 49-46 W., 25.14 chains, Corner 13, set a chestnut post, an 8" chestnut bears S. 30-00 W. .50 chain distant, S. 0-58 W. 7.28 chains, Corner 14, a point at intersection with marked Cathcart line. Thence, S. 49-36 W. with the marked Cathcart Line, 22.66 chains, Corner 15, an old locust post in a mound of stones, corner of the Indian Land. A 6" Red Oak blazed and scribed B.T.Q-4, bears S. 71-00 W. .25 chain distant. Thence, S. 40-53 E., with the Indian Line, as marked with very old marks, 10.08 chains, Corner 16, a planted stone with witnesses, a corner of the L.A.W.Maney Tract, a 6" chestnut oak, blazed and scribed B.T.Q-3, bears E. .30 chain distant; thence, with two lines of the L.A.W.Maney Tract, S. 40-47 W., 28.91 chains, Corner 17, a planted stone at intersection of marked lines, near top of spur ridge, a 12" white oak, blazed and scribed B.T. Q-2, bears N. 50-00 W. .35 chain distant, N. 85-25 W., 13.17 chains, Corner 18, a point at center of Ocona Lufty River, .20 chain above center of bridge, being corner 12 of the Champion Fibre Co. Tract (1d); thence with five lines of the Champion Fibre Co. Tract (1d), N. 7-14 E., 5.07 chains, Corner 19, a point in center of river; N. 88-40 E., leaving river; 1.03 chains, Corner 20, a point on East bank of road, with white oak and maple witnesses, N. 2-48 E., 6.17 chains, Corner 21, a post with witnesses; N. 89-08 W., 11.00 chains, Corner 22, a sycamore stump on east bank of river,

just below the R.R.Tressle, N. 85-10 W., 3.19 chains, Corner 23, which is corner 1 of the Champion Fibre Co. Tract (1d), a point at the junction of Bradley Fork with the left fork of Ocona Lufty River; thence, with the meanders of Bradley Fork, N. 14-46 W., 13.40 chains, a point; N. 19-05 W., 4.33 chains, a point; N. 26-40 E. 5.83 chains, a point; N. 39-43 E., 2.34 chains, a point; N. 2-05 E., 4.45 chains, a point; N. 36-13 W., 4.43 chains, a point; N. 60-52 W. 2.16 chains, Corner 24, a forked chestnut with old marks, on west bank of river, blazed and scribes W. 2-Cor. 2, a 15" white oak, blazed and scribed B.T.W. 2-Cor. 2, bears S. 47-00 W. .22 chain distant; Thence N. 87-08 W. with a line of the Bradley Land; 14-77 chains, Corner 25, a locust stake on a ridge, with a sourwood witness; Thence, up the ridge, with its meanders, N. 24-27 W., 1.63 chains, a chestnut stake, a corner of the John C.Reagan tract, N. 22-00 W., 3.47 chains, a point; N. 36-40 W. 1.23 chains, a point; N. 12-38 W., 2.47 chains, a point; N. 3-32 E., 1.13 chains, Corner 26, which is Corner 5, of the James A.Martin Tract (2-b), an 18" pine with old marks, a corner common to John C.Reagan; Thence, with two lines of the James A.Martin Tract (2-b), N. 56-53 E., 6.91 chains, Corner 27, a 20" white oak with witnesses, a 12" white oak, blazed and scribed B.T. bears S. 63-00 W., .40 chain distant; N. 34-54 E., 12.04 chains, Corner 28, which is corner 3 of the Julius Carver Tract (9), a locust stump with witnesses, on a ridge, blazed and scribed Cl-5, a 16" black oak, blazed and scribed B.T.-C 1-5, bears S. 50-00 W. .10 chain distant; Thence, down the ridge with its meanders, a line of the Julius Carver Tract, S. 89-49 E., 3.10 chains, a point; S. 81-40 E., 4.69 chains, a point; S. 49-55 E., 3.68 chains, a point; S. 65-73 E., 8.92 chains, a point; S. 43-46 E., 0.24 chains, Corner 29, a point at intersection with the center line of Bradley Fork, and at the center of a small diversion dam; Thence, up Bradley Fork with its meanders. N. 46-24 W., 2.16 chains, a point; N. 24-55 W., 5.13 chains, the place of BEGINNING, containing 478.55 acres, exclusive or exception 1.

Tract No. 11

Exception No. 1

Being the Smokemont Church Lot. BEGINNING at Corner 1, an iron stake on the upper bank of the road, about 2.00 chains above the bridge across Ocona Lufty River; Thence, N. 82-55 E., 3.60 chains, Corner 2, a chestnut stump Thence, N. 3-39 W., 1.40 chains, Corner 3 a sassaras marked as corner; Thence, N. 81-42 W. 4.39 chains, Corner 4, a point in the road; thence, S. 22-00 E., 2.67 chains, the place of BEGINNING containing .77 acres.

Tract No. 2 being Tract No. 24

as shown by survey by North Carolina

Park Commission and described as follows:

Lying on the waters of the West Fork of the Ocona Lufty River. BEGINNING at Cor.1, a 12" pine, a corner common to Grant 153 and the James A.Martin Tract (2b), scribed Cor. 4; thence, S. 67-12 E., with southern boundary of James A. Martin Tract; 15.92 chains, Corner 2, an 18" pine with old marks, a corner common to W.E. Queen and James A. Martin; thence, with the W.E. Queen Tract down the ridge, with its meanders, S 3-32 W. 1.13 chains, a point; S. 12-38 E. 2.47 chains, a point; S 36-40 E., 1.23 chains a point; ~~S 3-32 W. 1.13 chains, a point~~; S. 22-00 E., 3.47 chains, Corner 3, a chestnut stake, a corner of the W. E. Queen Tract (11), and the Wilson and Hall Tract (25), thence with the Wilson and Hall line down the meanders of the ridge, S. 51-53 W., 3.15 chains, a point; S. 57-30 W., 2.75 chains, a point; S. 40-27 W., 2.53 chains, a point; S. 11-42 W., 1.89 chains, a point; S. 3-54 W., 2.35 chains, a point; S. 36-35 W., 1.57 chains, a point; S. 1-07 W. 3.08 chains, Corner 4, a stake, old corner with witnesses,

on top of ridge, a 10" maple, scribed B.T.R. Cor. 4, bears S. 53-00 W. .10 chain distant; thence S. 27-52 W., 11.63 chains, Corner 5, an 8" sycamore, scribed R, Cor. 5, on east bank of West Fork, common to Wilson and Hall (25), and Ella Bradley Shook (27); thence, S. 27-26 W., 1.07 chains, Corner 6, a point on the south side of the river, corner 1 of the W.T.Reagan Tract (104); thence, with three lines of the W.T.Reagan Tract (104), N. 62-50 E., 2.82 chains, Corner 7, a stake and stone on river bank, S. 27-13 W., 5.61 chains, Corner 8, a stake; S. 62-50 W., 2.80 chains, Corner 9, a stake which is Corner 4 of the W.T.Reagan Tract (104); thence, S. 27-26 W., .30 chain, Corner 10, an 8" birch, with corner marks; Thence, S. 2-43 W., 7.99 chains, Corner 11, an 18" hickory on a spur ridge, a corner of Grant 80, and of the Ella Bradley Shook Tract, scribed R, Cor. 5; thence, with a line of the Bradley Heirs Tract (31), S. 64-50 W., 4.36 chains, Corner 12, which is Corner 2 of the Bradley Heirs Tract (31), corner 20 of the Champion Fibre Co. Tract (1-c), a point with witnesses where the line of Grant 80 crosses ridge; thence, with the Champion Fibre Co. Tract (1-c), and the meanders of a ridge, S. 86-07 W., 1.30 chains, a point; S. 73-25 W., 1.32 chains, a point; N. 83-37 W. 2.54 chains, a point; S. 33-57 W. 2.19 chains a point; N. 86-23 W., 1.75 chains, a point; N. 71-48 W. 2.04 chains, a point; S. 63-54 W. 0.69 chain, Corner 13, a 36" chestnut with old markings and witnesses blazed and scribed R. Cor. 7, which is Corner 19 of the Champion Fibre's Co. Tract (1-c); thence, N. 9-53 W. 9.28 chains, Corner 14, a point at the intersection of two hollows and corner 18 of the Champion Fibre Co. Tract (1-c); thence, with the meanders of a hollow, N. 17-24 E., 1.73 chains, a point; N. 1-47 E., 2.04 chains, a point; N. 1-23 W., 1.38 chains, a point; N. 5-02 E., 1.56 chains, a point; N. 30-45 E., 2.03 chains, a point; N. 34-54 E., .99 chains, a point; N. 84-54 E., 2.05 chains, a point; N. 23-42 E., 1.70 chains, a point; N. 72-39 E., 1.26 chains, a point; N. 12-18 W., 1.16 chains, a point; N. 7-52 E., 1.00 chains, a point; N. 41-50 E., 1.81 chains, Corner 15, a large stone, corner 17 of the Champion Fibre Co. Tract (1c); thence, N. 4-30 E., 1.80 chains, Ocona Lufty River flows east; 5.90 chains, Corner 16, a point beside road, a corner common to J.M. Ayers (21) and Champion Fibre Co. (1c); thence, with the J.M.Ayers Tract (21), N. 4-10 E., 4.71 chains, Corner 17, a planted stone, which is corner 4 of the J.M.Ayers Tract (21); Thence S. 80-39 E., 4.46 chains, Corner 18, which is Corner 3 of the J.M.Ayers Tract (21), a chestnut stake on ridge top, a 20" white oak blazed and scribed B.T. bears N. 42-00 E.; thence, with meanders of the ridge, N. 21-01 W., 1.92 chains, a point; N. 8-01 W., 2.41 chains, a point; N. 19-34 W., 2.16 chains, a point; N. 27-22 W., 1.49 chains, a point; N. 20-18 W., 2.50 chains, a point; N. 26-15 W., 1.39 chains, a point; N. 0-05 E., 3.84 chains, a point; N. 8-44 W., 1.73 chains, Corner 19, which is corner 2 of the J.M.Ayers Tract (21), a pine stump with witnesses in the gap of a ridge; a 40" chestnut blazed and scribed B.T.G. 133, Cor. 3, bears S. 15-00 E.; thence, N. 65-45 E., 9.36 chains, to the place of BEGINNING, containing 96.65 acres.

Tract No. 3 being Part of Tract No. 25  
as shown by survey by North Carolina Park Com-  
mission and described  
as follows:

BEGINNING at a sycamore on the north bank of Ocona Lufty River and runs north 15 West 19 poles to the mouth of a ditch; then with said ditch 16 poles, less 6 feet to an apple tree or stake; then north 5 West with the ditch 16 poles 6 feet to a dogwood; then north 41 East with the top of the ridge 24 poles to a small black gum; then north 10 east with the top of the ridge 50 poles to Bradley's corner; then north 25 west with the top of the ridge 6 poles and 10 feet to a dogwood corner of John C. Reagan; then southwest with the

line of John C. Reagan to a sycamore on the bank of Ocona Lufty River; then down the said Ocona Lufty River as it meanders and it now runs to the BEGINNING, containing 17.00 acres.

Tract No. 4 being Tract No. 39

as shown by survey by North Carolina  
Park Commission and described as follows:

Lying on the East side of the Ocona Lufty River, BEGINNING at Corner 1, a sycamore shown by L.A.W. Maney, common corner to the L.A.W. Maney Tract (33), thence down the meanders of the river with the J.H. Connor Estate Tract (50), S. 38-49 E., 3.86 chains, a point; S. 53-31 E., 7.08 chains, a point; S. 58-26 E., 6.89 chains, a point; S. 50-55 E., 7.07 chains, Corner 2, a sycamore stump on bank of river at mouth of branch, common corner with the James Wilson Tract (40); thence, with the James Wilson Tract (40) and the meanders of a branch, N. 22-17 E., 5.00 chains, a point; N. 1-18 E., 2.73 chains, a point; N. 3-49 E., 3.27 chains, a point; N. 6-49 W., 2.08 chains, a point; N. 17-32 E., 2.78 chains, a point; N. 13-36 W., 1.41 chains, a point; N. 21-31 W., 2.37 chains, a point; N. 4-15 W., 1.02 chains, a point; N. 52-32 E., 1.51 chains, a point; N. 28-42 E., 1.30 chains, a point; N. 44-00 E., 0.72 chains, a point; N. 18-39 E., 0.88 chains, a point; N. 14-01 E., 1.98 chains, a point; N. 19-00 E., 1.33 chains, a point; N. 33-22 E., 1.97 chains, a point; N. 27-51 E., 1.20 chains, Corner 3, a 4" poplar near head of branch, a 12" black oak bears N. 67-00 E. .25 chain distant; Thence, N. 32-51 E., 6.49 chains, Corner 4, a hickory with marks, on ridge; thence, N. 47-41 E., 14.59 chains, Corner 5, a white oak in line of 1230 A. Sur. (Indian Land). Thence, with the Indian Boundary line, N. 40-20 W., 12.42 chains, Corner 6, a common corner with the L.A.W. Maney Tract, set a sassafrass post scribe I.B. on N.E. and M. on S.W. a 26" chestnut bears S. 77-00 W. .08 chain distant, scribed B.T.M. a 40" white oak bears N. 54-00 E. .17 chain distant, scribed B.T.I.B.; thence, with 1 line of the L.A.W. Maney Tract (33), S. 37-02 W., 32.01 chains, Corner 7, a chestnut with marks and witnesses; thence, S. 30-37 E. 0.70 chain, Corner 8, a chestnut stake with witnesses on ridge; thence, S. 46-49 W., 18.47 chains, to the place of BEGINNING, containing 67.46 acres.

Tract No. 5 being Tract No. 39a

as shown by survey by North Carolina

Park Commission and described as follows:

Being the lot on which is located Geo. Beck's Store, at Smokemont. BEGINNING at Corner 1, a point in Ocona Lufty River, at the mouth of a small branch. Thence N. 11-44 W., with the center of Ocona Lufty River; 4.98 chains, Corner 2, a point in center of Ocona Lufty River, being corner 11 of the Champion Fibre Co. Tract (1-d); thence, S., 86-45 W., .76 chains, the S.E. Corner of Connor's store lot; 2.81 chains, Corner 3, the S.W. Corner of Connor's store lot; thence, N. 7-44 W., 1.59 chains, Corner 4, the N.W. Corner of Connor's store lot, and corner 8 of the Champion Fibre Co. Tract (1-d); thence, S. 89-54 W., with the Champion Line; 3.47 chains, corner 5, which is corner 26 of the J.W. Wilson Tract (32), three chestnuts at fence corner; thence, S. 2-10 W., with the J.W. Wilson's line; 3.64 chains, Corner 6, a stake in a branch, scribed G.B. Cor. II; thence, down the branch, with its meanders, S. 56-33 E., 2.09 chains, a point; S. 33-36 E., 1.34 chains, a point; S. 66-53 E., 1.89 chains, a point; N. 63-00 E., 1.31 chains, a point; S. 84-04 E., 2.26 chains, the place of BEGINNING, containing 3.47 acres.

Tract No 6 being Tract No. 40

as shown by survey by North Carolina

Park Commission and described as follows:

Lying on the East bank of the Ocona Lufty River and North of Beck Branch. BEGINNING at Corner 1, which is corner 2 of the George Beck Tract (39), being a sycamore stump on bank of river at mouth of branch and running thence with the lines of the George Beck Tract (39), and the meanders of a branch, N. 22-17 E., 5.00 chains, a point; N. 1-18 E., 2.73 chains, a point; N. 3-49 E., 3.27 chains, a point; N. 6-49 W., 2.08 chains, a point; N. 17-32 E., 2.78 chains, a point; N. 13-36 W., 1.41 chains, a point; N. 21-31 W., 2.37 chains, a point; N. 4-15 W., 1.02 chains, a point; N. 52-32 E. 1.51 chains, a point; N. 28-42 E., 1.30 chains, a point; N. 44-00 E., 0.72 chains, a point; N. 18-39 E., 0.88 chains, a point; N. 33-22 E. 1.97 chains a point; N. 27-51 E. 120 chains a point; N. 14-01 E., 1.98 chains, a point; N. 19-00 E., 1.33 chains, a point; Corner 2, a 4" poplar near head of branch, a 12" black oak bears N. 67-00 E., .25 chain distant; thence, N. 32-51 E., 6.49 chains, Corner 3, a hickory with marks on ridge; thence, N. 47-41 E., 14.59 chains, Corner 4, a White Oak in line of 1230A Survey (Indian Land), and Corner 5 of the George Beck Tract (39). Thence, with the Indian Boundary line, S. 40-36 E., 11.28 chains, Corner 5, a point in the center of Beck Branch, common corner with M.W. Beck. Thence down the meanders of Beck Branch and with the M.W. Beck lines, S. 48-07 W., 3.26 chains, a point; S. 56-23 W., 2.97 chains, a point; S. 24-34 W., 1.29 chains, a point; S. 58-57 W. 4.25 chains, a point; S. 30-51 W., 5.58 chains, a point; S. 43-37 E., 2.14 chains, a point; S. 39-53 W., 4.88 chains, a point; S. 14-34 W., 8.92 chains, a point; S. 8-46 W., 12.46 chains, Corner 6, a point at the mouth of Beck Branch and the center of Ocona Lufty River, common corner with M.W. Beck. Thence up the river, N. 79-32 W., 11.16 chains, to the point of BEGINNING, containing 53.61 acres.

Tract No. 7 being Tract No. 50

as shown by survey by North Carolina

Park Commission and described as follows:

Lying on the Western Water-shed of the Ocona Lufty River, just North of Couches Creek. BEGINNING at Corner 1, a chestnut stake beside a pine stump, being corner 2 of the S.C. Mathis Tract 48, and corner 5 of the Galloway Treadaway Tract (49), thence with two lines of the Treadaway Tract (49), S. 37-26 W., 2.66 chains, Corner 2, a stake 6 feet East of a spanish oak on top of ridge, S. 1-38 W., 7.43 chains, Corner 3, an old marked hickory scribed T.C. III, and Corner 14 of the W.W.Rogers Tract (52), thence with the Rogers Tract (52), S. 0-52 W., 23.31 chains, Corner 4, a stake in place of Mountain oak, scribed C.Cor. II, old marked corner-witness an 18" hickory scribed B.T.C. about 2 chains South of Couches Creek, a common corner with the H.K.Revis Tract (53), thence with the Revis Tract (53), N. 89-28 E., 24.26 chains, Corner 5, a stake on east bank of Couches Creek scribed C. Cor. III, an 18" white walnut scribed B.T.C. Cor. III, bears N. 29-00 W., .35 chain distant, Corner 1, of the L.Connor Tract (54). Thence, with the L. Connor Tract (54), and down the meanders of Couches Creek, N. 75-05 E., 3.54 chains, a point; S. 80-40 E., 2.40 chains, a point; N. 50-39 E., 4.24 chains, a point; S. 83-35 E. 1.84 chains, a point; S. 70-01 E., 2.46 chains, a point; S. 48-50 E., 1.98 chains, a point; S. 63-11 E., 2.47 chains a point; S. 82-03 E., 2.10 chains, a point; S. 59-53 E., 1.76 chains, a point; S. 3-56 E., 1.73 chains, Corner 6, a point at the mouth of Couches Creek and the river, thence up the meanders of the river, N. 57-37 E., 7.57 chains, a point; N. 53-02 E., 6.23 chains, a point; S. 88-53 E., 1.99 chains, a point; N. 58-12 E., 2.63 chains, a sycamore stump at old mouth of Toe String Creek, Corner 19 of the J.H.Beach Tract (46), and Corner 7 of the J.A.Chambers Tract (55) thence with the Beach Tract (46), N. 31-52 E., 19.40 chains, a point; N. 10-31 W., 6.86 chains, a planted stone on bank of river which is Corner 1 of the J.H. Beach Tract (46), and Corner 5 of the W.M.Beach Tract (41), thence with the Beach Tract (41), N. 50-26 W., 10.83 chains, a point; N. 68-09 W., 4.75 chains, a point in the center of

Ocona Lufty River at the Mouth of the Beck Branch, Corner 1, of the Beck Tract (41), and Corner 6 of the James Wilson Tract (40), thence with the James Wilson Tract, (40), N. 79-32 W., 11.16 chains, a sycamore stump on bank of river at mouth of branch, being corner 2 of the George Beck Tract (39), running thence, with the George Beck Tract (39), N. 50-55 W., 7.07 chains, a point; N. 58-26 W., 5.81 chains, a stake; which is Cor. 1 of the Calloway Treadaway Tract (49a), is .32 chain to left; 6.89 chains, a point; N. 53-31 W., 7.08 chains, a point; N. 38-49 W. 3.86 chains, a sycamore shown by L.A.W. Maney, Corner 1 of the George Beck Tract (39), and Corner 1 of the L.A.W. Maney Tract (33), N. 44-51 W., 2.70 chains, Corner 7, an old marked locust corner, on south bank of river at the mouth of small stream, Corner 7 of the C.L. Beck Tract (47), thence with the Beck Tract (47); S. 43-03 W., 12.28 chains, Corner 8, a planted stone in fork of branch and in old line, a 6" birch scribed B.T.M.C. II, bears N. 51-30 W., .16 chain distant and Corner 1 of the S.C. Mathis Tract (48). Thence, with the Mathis Tract (48), S. 42-27 W., 21.18 chains, to the place of BEGINNING, containing 263.01 acres, exclusive of ~~Exemption~~ 1.

Tract No. 50

Exemption No 1

Being the Calloway Treadaway Tract No. (49a). Lying in the Western Water-shed of the Ocona Lufty River about 30 chains North of Couches Creek. BEGINNING at Corner 1, a stake on the S.W. Bank of river, scribed T.2-C. 1, a 36" hemlock B.T.T.2, C. 1, bears N., 33-20 W., .15 chain distant. Thence, S. 2-46 W., 20-00 chains Corner 2, a point in old Connor line where hickory formerly stood. Thence, S. 83-48 W., 1.95 chains, Corner 3, a point; Thence, N. 73-34 W., 1.65 chains, Corner 4, <sup>a 4"</sup> sauerwood scribed T. 2.C. IV. Thence, with the meanders of the ridge, N. 76-47 W., 2.98 chains, a point; N. 43-28 W., 2.83 chains, a point; N. 66-30 W., 4.30 chains, a point; N. 41-17 W., 3.55 chains, Corner 5, a stake in the place of sauerwood corner, on top of ridge on old grant line No. 24, scribed T.2, C.V. Thence, N. 50-32 E., 19.83 chains, to the place of BEGINNING, containing 16.76 acres.

Tract No. 8 being Tract No. 54  
as shown by survey by North Carolina

Park Commission and described as follows:

Lying just below the mouth of Couches Creek, a tributary of Ocona Lufty River. BEGINNING at Corner 1, which is Corner 5 of the J.H. Connor Estate Tract (50), a stake on east bank of Couches Creek, Scribed C. Cor. III. an 18" white walnut, scribed B.T.-C. Cor. III, bears N. 29-00 W. .35 chain distant. Thence, down Couches Creek with its meanders, a line of t the J.H. Connor Estate Tract (50), N. 75-05 E., 3.54 chains, a point; S. 80-40 E., 2.40 chains, a point; N. 50-39 E. 4.24 chains, a point; S. 83-35 E., 1.84 chains, a point; S. 70-01 E. 2.46 chains, a point; S. 48-50 E., 1.98 chains, a point; S. 63-11 E., 2.47 chains, a point; S. 82-03 E., 2.10 chains, a point; S. 59-53 E. 1.76 chains, a point; S. 3-56 E., 1.73 chains, Corner 2, a point at the junction of Couches Creek and the river. Thence, down the river, with its meanders, S. 15-23 W., 9.27 chains, a point; S. 16-42 W., 7.49 chains, Corner 3, which is corner 6 of the J.A. Chambers Tract (55), a point in the public road, and on the west bank of river, shown by J.A. Chambers as his corner. Thence, N. 42-13 W., 9.40 chains, Corner 4, a fence post scribed C. Cor. V, where originally stood a dogwood corner. Thence, N. 85-28 W. 10.72 chains, Corner 5, which is corner 1 of the H.K. Revis Tract (53), an 8" hickory with old marks, blazed and scribed C. Cor. V. Thence, N. 3-02 E., 11.60 chains, the place of BEGINNING, containing 29.62 acres.

Tract No. 9 being Tract No. 75

as shown by survey by North Carolina

Park Commission and described as follows:

Lying on the east bank of Ocona Lufty River, at the mouth of Ravens Fork. BEGINNING at Corner 1, which is corner 12 of the Parsons Pulp and Lumber Co. Tract (68), a fallen ash and sycamore with witnesses, on the East bank of Ravens Fork of Ocona Lufty River. Thence, down the river with its meanders, S. 69-57 W., 9.13 chains, a point at junction of Ravens Fork with main river; S. 31-23 W., 7.09 chains, a point; S. 8.47 W., 8.89 chains, Corner 2, which is Corner 1 of the S.A. Smith Heirs Tract (76), a small marked sycamore, on the Ease bank of Ocona Lufty River. Thence, with nine lines of the S.A. Smith Heirs Tract (76), S. 84-59 E., 17.74 chains, Corner 3, a point; N. 8-51 E., 3.07 chains, Corner 4, a planted stone; S. 74-04 E., 6.73 chains, Corner 5, a large chestnut with marks; N. 82-17 E., 7.07 chains, Corner 6, an 8" chestnut with chestnut oak witnesses; N. 53-15 E., 4.02 chains, Corner 7, a post with chestnut witnesses, scribed S. on South and M. on North, S. 64-28 E., 9.20 chains, Corner 8, a post scribed M. and S. at intersection with marked line; N. 70-29 E., 1.78 chains, Corner 9, a chestnut on bank of stream, blazed and scribed M.S., beside a chestnut stump; S. 65-30 E., 11.14 chains, Corner 10, a locust post scribed M.S., a 6" sourwood bears S. 45-00 W., .08 chain distant, scribed B.T.-S., S1-06 W., 3.69 chains, Corner 11, a post in the Indian Boundary Line, scribed I.B.M. and S., a 16" chestnut bears S. 35-00 W. .04 chain distant; Thence, with the Indian Boundary Line, along the meanders of a ridge, N. 62-12 E., 1.18 chains, a point; S. 53-05 E., 2.93 chains, a point; N. 84-07 E., 1.49 chains, a point; S. 66-15 E., 2.58 chains, Corner 12, an iron post marked I.B.; Thence, N. 3-53 E., with the Indian Boundary Line, 20.15 chains, Corner 13, which is Corner 17 of the Parsons Pulp and Lumber Co. Tract (68), a point in the Indian Boundary Line, Set a post scribed P-S. Thence, with five lines of the Parsons Pulp and Lumber Co. Tract (68), S. 43-35 W., 2.80 chains, Corner 14, a point on ridge, S. 74-53 W., 12.27 chains, Corner 15, a point on ridge, N. 70-10 W., 6.92 chains, Corner 16, a red oak stump, N. 48-25 W. 1.68 chains, Corner 17, a point with a chestnut witness. Set a post scribed P; N. 69-37 W. 12.61 chains, Corner 18, which is Corner 2 of the Ravensford School Tract (74), a point on the southeast side of a small stream. Thence, with two lines of the Ravensford School Tract (74), S. 35-30 W., 1.86 chains, Corner 19, a point on southeast side of stream; N. 70-40 W., 6.06 chains Corner 20, which is Corner 4, of the Ravensford Church Tract (73), a stake, Thence, with two lines of the Ravensford Church Tract (73), N. 71.34 W., 2.91 Chains, Corner 21, a stake; N. 37-00 E., with the East Boundary of the railway right-of-way; 2.10 chains, Corner 22, a point in the line of the Parsons Pulp and Lumber Co. Tract (68). Thence, N. 69-37 W., with the Parsons Pulp and Lumber Co. line; 8.73 chains, the place of BEGINNING, containing 75.32 acres.

Tract No. 10 being Tract No. 73

as shown by survey by North Carolina

Park Commission and described as follows:

Lying about one forth mile East of the Mouth of Ravens Fork of Ocona Lufty River, BEGINNING at Corner 1, which is Corner 3, of the Hipps and Burgin Tract (110), a stake. Thence N. 69-15 W., with a line of Hipps and Burgin Tract NO.(110); 2.52 chains, Corner 2, a stake in the East Boundary of the railway-right-of-way. Thence, S. 37-00 W., with the East boundary of the railway right-of-way; 1.27 chains, Corner 3, a stake. Thence, S. 71-34 E., 2.91 chains, Corner 4, a stake. Thence, N. 19-19 E., 1.08 chains, the place of BEGINNING, containing .31 acres.

(NOTE: All bearings in the foregoing descriptions were turned from the true meridian and all distances are expressed in chains of 66 feet.)

IT IS FURTHER CONSIDERED, ADJUDGED AND DECORATED BY THE COURT that all the costs of this preceding property incurred by both the petitioner and respondents, up to and including the costs of this judgment, to be taxed by the Clerk, shall be paid by the petitioner.

This shall be deemed the final judgment in this cause in respect to the rights, claims, interests and obligations of the petitioner, the State of North Carolina, and in respect of the title acquired by said petitioner in and to the lands and premises above described but this cause is retained for the purpose of adjudication of any and all claims that have been or may hereafter be asserted in, to or against the money to be paid into Court by the petitioner, pursuant to the provisions of this judgment, and for no other purpose whatsoever.

This the 20th day of April, 1931.

(SEAL)

(SIGNED) J.B.CAIN

Clerk Superior Court Buncombe  
County, North Carolina.

STATE OF NORTH CAROLINA

)

COUNTY OF BUNCOMBE

)

In the Superior Court

I, J.B.Cain, Clerk of the Superior Court of Buncombe County, North Carolina, do hereby certify that the foregoing is a true and perfect copy of the FINSL JUDGMENT in case of STATE OF NORTH CAROLINA -vs- HEIRS AT LAW OF W.E.QUEEN, et al, as the same appear on file and Record in my office.

In witness whereof, I have hereonto set my hand and official seal, this the 22nd day of April, 1931.

(SEAL)

J.B.Cain

Clerk Superior Court.

STATE OF NORTH CAROLINA

SWAIN COUNTY.

The foregoing or annexed certificate of J.B.Cain a C.S.C. of Buncombe County, is adjudged to be correct. Let the said deed and the certificates, be registered.

Witness my hand and official seal, this 30 day of April, 1931.

V.A.Browning

Clerk of Superior Court.

Received for registration on this 30 day of April, 1931; then was the foregoing Final Judgment registered in Book 59 at page 561.

Frank Hyatt  
Register of Deeds.