

V.A. Browning  
Clerk of the Superior Court,  
of Swain County, North Carolina.

Filed for registration at 2:30 o'clock P.M. March 20, 1931 and registered in the  
office of the Register of Deeds for Swain County, North Carolina, in Book 56, page 537.

*Frank Hyatt*  
REGISTER OF DEEDS SWAIN COUNTY.

NORTH CAROLINA,

IN THE SUPERIOR COURT

SWAIN COUNTY.

BEFORE THE CLERK.

STATE OF NORTH CAROLINA,

Petitioner,

FINAL

-vs-

JUDGMENT

T.I. HUGHES, A.H. HUGHES AND WIFE, HESTER J. HUGHES, ZENA BATTLE AND HUSBAND, WILL BATTLE, SEVIER  
HUGHES AND WIFE, BESSIE HUGHES, MARGARET MARSHALL, MARIAH MITCHELL, widow, J.R. LOVE, FREDRICK LOVE,  
HENRIETTA LOVE, minor, HEDWIG LOVE, widow, BESSIE L. ABLE AND HUSBAND, **J.S. ABLE, MATTIE WEST AND HUSBAND,**  
AND WIFE, JOSEPHINE THOMAS, SALLIE L. AVERY, widow, WILLIAM H. THOMAS III AND WIFE, BLANCHE THOMAS, L  
LOVE T. HUGHES AND HUSBAND, G.E. HUGHES, MARIAH LONG, incompetent, by her guardian, WILLIAM H.  
THOMAS III, DEWITT THOMAS AND WIFE, FRANCIS J. THOMAS, MAY PATTON STALCUP AND HUSBAND, GLENN STALCUP,  
JOSEPHINE PATTON BYRD AND HUSBAND, HENRY BYRD, LOVE B. SHACKFORD AND HUSBAND, J.W. SHACKFORD, JAMES  
THOMAS PATTON, W.T. PATTON, G.E. HUGHES, Attorney in fact, BRYAN THOMAS, MARY EDITH WAY, widow, J.C.  
WELCH AND WIFE, FANNIE WELCH, NORA ASHTON AND HUSBAND, \_\_\_\_\_ ASHTON, S.H. HILLIARD AND WIFE,  
MAMIE J. HILLIARD, MARIAH S. HULL AND HUSBAND, FRED HULL, MARGARET J. CAMPBELL, widow, HALCYONE  
HILLIARD, widow, CHARLES O. HILLIARD, LOVE H. FOSTER AND HUSBAND, R.P. FOSTER, HOWARD HILLIARD,  
AND WIFE MAMIE M. STRINGFIELD,  
THOMAS STRINGFIELD, JAMES L. STRINGFIELD AND WIFE, EMMA A. STRINGFIELD, SAMUEL L. STRINGFIELD, AND  
WIFE, ADDIE S. STRINGFIELD, HUGH J. SLOAN, widower, BEN S. SLOAN, WILLIAM SLOAN, HUGH J. SLOAN, JR.,  
minor, JOSEPH SLOAN, minor, ROBERT SLOAN, minor, **CARSTON** WILBURN, LOVE B. GILMORE, widow, JAMES  
ADKINS, Jr., and wife, BESSIE S. ADKINS, HILLIARD B. ADKINS, NORA S. ADKINS, J.F. SHULER, W.T. CONLEY,  
M.L. SHERRILL, E.C. GIBSON, GEORGE W. BECK, G.I. CALHOUN, J.C. HALL AND WIFE, GLADYS HALL, N.A. HALL,  
CLEMENTINE ENLOE, R.L. ENLOE AND WIFE, LULA MAY ENLOE, SALLIE ENLOE BRADLEY AND HUSBAND, \_\_\_\_\_  
BRADLEY, ALICE ENLOE RICH AND HUSBAND, CHARLES RICH, GARLAND ENLOE AND WIFE, \_\_\_\_\_ ENLOE,  
STERLING ENLOE, ELSIE ENLOE DUNLAP AND HUSBAND, ROBERT DUNLAP, HILLIARD ENLOE AND WIFE, MYRTLE  
ENLOE, BERT ENLOE, LIZZIE ROSE, JULIA BYRD, ELSIE ENLOE, GLENN ENLOE, MYRTLE ENLOE, single, LUNIE  
ENLOE, M.V. CONNOR AND HUSBAND, L.J. CONNOR, H.B. BECK, L.V. SUTTON, VALERIE SUTTON, minor, NELLIE  
SUTTON, minor, BESSIE B. LOFTIS AND HUSBAND, M.A. LOFTIS, H.C. BECK AND WIFE, N.I. BECK, ELMINA AYERS  
AND HUSBAND, J.M. AYERS, T.M. JENKINS AND WIFE, CHARLOTTE JENKINS, FLOYD JENKINS, HEIRS AT LAW OF  
JASON L. CONNOR, HEIRS AT LAW OF MINERVA BRADLEY, N.B. BECK AND HUSBAND, ROBERT BECK, W.E. CONNOR,  
HEIRS AT LAW OF MARGARET KIMSEY, JAMES WIGGINS, HOY THOMAS AND WIFE, KITTY THOMAS, NORTH STATE  
CORPORATION, T.C. QUEEN, AND WIFE, MARIAN QUEEN, J.J. ENLOE AND WIFE, MAUDE ENLOE, P.L. HYDE, widow,  
GLENNIE HYDE SELLERS AND HUSBAND, JOE SELLERS, LURA HYDE COLE AND HUSBAND, JESS COLE, and R.P. HYDE,

Respondents.

This cause coming on to be heard before the undersigned Clerk of the Superior Court of  
Swain County, North Carolina, on this the 19th day of March, 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 15th day of October, 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, defense 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 having been duly served by publication, as required by law, and that the time for answering was extended and an order made by the Clerk of the Superior Court Swain County, allowing all of the respondents to appear and answer the petition on or before January 6, 1931; that J.M.Ayers filed an answer in said proceeding, by leave of the Court, on January 10, 1931, setting up his claim in entirety of all the lands described in Paragraph 11 of the petition, and denying that the respondents, Valerie Sutton and Nellie Sutton, owned any estate or interest in said lands, the same being a portion of Tract No. 21, as shown by the survey made by the North Carolina Park Commission; that Hoy Thomas and wife, Kittie Thomas, filed an answer, dated December 19, 1930, setting up their claim to a two-thirds (2/3) interest in the lands described in Paragraph 14 of the petition, and being Tract No. 133, of the survey made by the North Carolina Park Commission; that Elsie Enloe Dunlap and husband filed an answer, dated November 29, 1930, setting up their interest in the lands described in Paragraph 10 of the petition, and being Tract No. 57, of the survey made by the North Carolina Park Commission; that Mariah S. Hall, et al., filed an answer, dated December 8, 1930, setting up their claims to a portion of the lands described in the petition; that J.C.Hall and wife, Gladys Hall, filed an answer, dated November 28, 1930, setting up their claim to title to a portion of the lands described in the petition; that N.A.Hall filed an answer, dated November 28, 1930, in regard to his claim to a portion of the lands described in the petition known as the "Ravensford School Property"; that the heirs of M.B.Enloe filed an answer, dated November 12, 1930, setting up their claim to Tract No. 57, as shown by the survey made by the North Carolina Park Commission, and set out in Paragraph 10 of the petition; that T.I.Hughes, et al., filed an answer, dated November 12, 1930, setting up their claim to certain mineral interests in certain tracts described in Paragraph 5, of the petition, and being Tracts Nos. 58, 59, 68, 69, 70, 71, and 72, of the survey made by the North Carolina Park Commission; that James Wiggins filed an answer, dated November 12, 1930 setting up his claim in Tract No. \_\_\_\_\_, as shown by the survey made by the North Carolina Park Commission; that the Board of Education of Swain County filed an answer, dated October 30, 1930, setting up ~~the~~ claim and title of Said Board to certain lands described in Paragraph 8 of the petition, known as the "Indian Creek School," "Toe String School," "Ravensford School," "Smokemont School," and "Mingus Creek School," properties; that D.F.Connor filed an answer, by leave of the Court, dated January 10, 1931, setting up his claim in entirety to all the lands described in Paragraph 12, of the petition, and denying that any other person or persons own or have any estate or interest in said lands, the same being Tract No. 17, of the survey made by the North Carolina Park Commission; and that T.C.Queen filed an answer, dated December 10, 1930, setting up his claim in entirety to all the lands described in Paragraph 17 of the petition, and denying that any other person or persons own or have any estate or interest in said lands, the same being Tracts Nos. 99 and 99a, 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 to the subject matter of this action and proceeding;

2. That theretofore, to wit, on the 6th day of January, 1931, (the time for answering having fully elapsed and expired as to all and every of the respondents summoned 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 Swain County, North Carolina, duly made and entered an interlocutory judgment and order in this case, whereby it was duly ordered and adjudged, inter alia, that C.R.Browning, R.P. ABBOTT and S.W.MONTEITH 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 report of the Court therein, according to law, and said commissioners were required, before entering upon their duties, to make 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 same appears 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 7th day of February, 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 the 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 proceeding Paragraph hereof mentioned, appraised, ascertained and determined in the compensation which ought justly to be made by the petitioner to 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 damage for the three eighths ( $3/8$ ) mineral interest in Tracts Nos. 58, 59, 68, 69, 70, 71 and 72, of the survey made by the North Carolina Park Commission, and referred to in Section 5 of the petition, at the sum of TWENTY-SEVEN and  $28/100$  DOLLARS, (\$27.28).

(b) That they estimated, appraised and assessed the compensation and damage for the mineral interests in Tracts Nos. 112, 113, 114, 125, 126, 127, 132, 141, 120, 121, 149 and 160, of the survey made by the North Carolina Park Commission, and referred to and fully described in Section 6 of the petition, at the sum of ONE HUNDRED, EIGHTEEN and  $33/100$  DOLLARS (\$118.33).

(c) That they estimated, appraised and assessed the compensation and damage for the one-fourth ( $1/4$ ) mineral interest in Tracts Nos. 125, 126, 127, 149 and 160, of the survey made by the North Carolina Park Commission, and also referred to in the last paragraph of Section 6 of the petition, and claimed to be owned by James F.Shuler, et al., at the sum of FIVE DOLLARS (\$5.00).

(d) That they estimated, appraised and assessed the compensation and damage for the mineral interests owned, or claimed to be owned, by the heirs at law of James Conley and W.L.Sherrill, in Tract No. 129, as shown by the survey made by the North Carolina Park Commission, and referred to and described in Paragraph 7, of the petition, at the sum of NINE and  $35/100$  DOLLARS (\$9.35).

(e) That they estimated, appraised and assessed the compensation and damage for the lands described in Section 8, of the petition and being the lands owned and claimed to be owned by Swain County/School purposes and lying on the waters of Ocona Lufly River and Indian Creek, on which school buildings are now situated, and known as the "Indian Creek School", "Toe String School," "Ravensford School," "Smokemont School," and "Mingus Creek School," as follows:-  
Indian Creek School, the sum of SIX HUNDRED and 00/100 DOLLARS (\$600.00);  
Toe String School, the sum of FIVE HUNDRED and 00/100 DOLLARS (\$500.00);  
Ravensford School, the sum of FIVE THOUSAND, SIX HUNDRED FIFTY and 00/100 DOLLARS (\$5,650.00);

Smokemont School, the sum of THREE THOUSAND, FIVE HUNDRED and 00/100 DOLLARS (3,500.00);  
Mingus Creek School, the sum of FIVE HUNDRED and 00/100 DOLLARS (\$500.00);

(f) That they estimated, appraised and assessed the compensation and damage for all of that tract of land described in Section 10 of the petition, being Tract No. 57 of the survey made by the North Carolina Park Commission, and being the lands owned by the Heirs at law of M.B. Enloe, at the sum of TWO THOUSAND, ONE HUNDRED FIFTY and 00/100 DOLLARS (\$2,150.00).

(g) That they estimated, appraised and assessed the compensation and damage for that portion of the lands described in Section 11 of the petition, and being a portion of Tract No. 21, for the survey made by the North Carolina Park Commission, owned by J.M. Ayers, in which Charlotte Jenkins has or might have a claim, at the sum of FIVE and 00/100 DOLLARS (\$5.00).

(h) That they estimated, appraised and assessed the compensation and damage for such interest as Valerie Sutton and Nellie Sutton, children of Florence Sutton, might have in that portion of Tract No. 21, as shown by the survey made by the North Carolina Park Commission, and referred to in Section 11 of the petition, at the sum of ONE HUNDRED, THIRTY and 00/100 DOLLARS (\$130.00).

Said commissioners, however, found as a fact that the whole of said tract hereinabove referred to as tract No. 21 is claimed by J.M. Ayers in fee simple and in entirety, as shown by his answer filed in this cause.

(i) That they estimated, appraised and assessed the compensation and damage for that portion of Tract No. 17, as shown by the survey made by the North Carolina Park Commission, and referred to in Section 12 of the petition, and shown in brown on the plat attached thereto, at the sum of THREE THOUSAND, TWENTY-FIVE and 00/100 DOLLARS (\$325.00).

Said commissioners, however, found as a fact that the whole of said Tract No. 17 was claimed by the respondent, D.F. Connor under and by virtue of various deeds of conveyance and long possession, and that the said D.F. Connor claimed to be the owner in entirety as shown by his answer herein.

(j) That they estimated, appraised and assessed the compensation and damage for the outstanding interests referred to in Section 13 of the petition, and being the J.R. Carver land embraced in Tract No. 19, as shown by the survey made by the North Carolina Park Commission, such outstanding interests being particularly referred to in said Section 13 of the petition, at the sum of TEN and 00/100 DOLLARS (\$10.00).

Said commissioners, however, found as a fact that the whole of said land has been conveyed by J.R. Carver and wife to the State of North Carolina for full value by deed of record in Swain County, and that no answer was filed by any person or persons claiming such outstanding interests.

(k) That they estimated, appraised and assessed the compensation and damage for the two-thirds (2/3) undivided interest of the respondents, Hoy Thomas and wife, in Tract No. 133, as shown by the survey made by the North Carolina Park Commission, and described in Section 14 of the petition, at the sum of ONE THOUSAND, TWO HUNDRED and 00/100 DOLLARS (\$1,200.00).

(l) That they estimated, appraised and assessed the compensation and damage for Tract No. 135a, as shown by the survey made by the North Carolina Park Commission, and referred to in Section 15 of the petition, and claimed by the North State Corporation, at the sum of SEVEN HUNDRED, NINETY and 00/100 DOLLARS (\$790.00). This appointment, however, was made for the reason that it appears in the petition that the controversy existed or might have existed as to the title to said land, and that the North State Corporation had heretofore conveyed said land for full value and for the sum of \$790.00 to the State of North Carolina by warranty deed, recorded in Swain County.

(m) That they estimated, appraised and assessed the compensation and damage for the

lands

owned and claimed by T.C. Queen and wife, Mariam Queen, being Tracts Nos. 99 and 99a, as shown by the survey made by the North Carolina Park Commission, and described in Section 17 of the petition, at the sum of ONE THOUSANDn TEN and 94/100 DOLLARS (\$1,010.94).

(n) That they estimated, appraised and assessed the compensation and damage for the lands described in Section 18 of the petition and exhibits thereto attached, and being the lands of J.J. Enloe and wife, Lula Enloe, and being Tract No. 99b, as shown by the survey made by the North Carolina Park Commission, containing about one acre, at the sum of FIVE and 00/100 DOLLARS (\$5.00).

That said commissioners found that NO SPECIAL BENEFITS were assessable against any of said lands.

4. That none of said respondents have filed any exceptions or appeals to said report within the time allowed by law, except as follows:

(a) J.C. Hall and wife, Gladys Hall, filed an exception to that portion of said report as to the valuation of the lands described in Section 9 of the petition, known as the "Ravensford School Property," but the Court finds as a fact that the Swain County Board of Education, who claims said lands, has filed no exception to the report of said commissioners.

(b) Heirs at law of M.B. Enloe, whose names are not set out in Section 10 of the petition, through their attorneys, filed an exception to that portion of said report assessing the value of tract N. 57, of the Survey made by the North Carolina Park Commission, and fully described in said Section 10 of the petition.

(c) Hoy Thomas and wife, Kittie Thomas, filed an exception and appeal to that portion of said report assessing the value of their two-thirds (2/3) undivided interest in Tract No. 133, of the survey made by the North Carolina Park Commission, and referred to in Section 14 of said petition.

(d) That T.C. Queen and wife, Marian Queen, have filed exceptions and have appealed from that portion of said report assessing the value of Tracts Nos. 99 and 99a, of the survey made by the North Carolina Park Commission, and described in Section 17 of the petition.

(e) That as to the other lands and interests in lands assessed by said commissioners, said report has become final by the failure of any other respondents to file exceptions or appeals therefrom.

(5. That the lands described in the petition lie wholly within the boundaries of the proposed Great Smoky Mountains National Park as defined and delimited in the Act of the General Assembly of North Carolina, entitled "An Act to Provide for 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 situate 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 of eminent domain appertains to and resides in the petitioner as a sovereign state, and that the petitioner has those 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:-

1. That the interlocutory judgment and order appointing commissioners in this cause, of date the 6th day of January, 1931, hereinbefore referred to, be, and the same hereby is, in all respects, approved, ratified and confirmed.

2. 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.

3. That the petitioner forthwith pay into the registry of this court the several sums of money for the several tracts and interests in tracts set out in the report of said commissioners herein referred to <sup>and also specifically referred to</sup> in this decree in Section 3 hereof, said sums being the amounts ascertained, appraised and determined by said commissioners as the total value and damages for all of the lands and interests in lands described in said petition as set forth in said report and 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, conformably to the report of said commissioners, which said amounts shall be paid out and disbursed by the Clerk of this Court to the person or persons severally entitled to receive the same as their several interests may be made to appear.

4. That upon the payment into Court by the petitioner of the amounts of money aforesaid as particularly set forth in the first Section 3 hereof, 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 <sup>to</sup> 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 to the parties hereto, are forever barred from claiming or ascertaining 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.

5. That it is further adjudged that J.M.Ayers is the owner in entirety of the lands covered by and embraced in Tract No. 21, as shown by the survey made by the North Carolina Park Commission, and that he has theretofore received payment in full for said lands from the petitioner, the State of North Carolina.

6. That it is further adjudged that D.F.Connor is the owner of all ~~of~~ Tract No. 17, as shown by the survey made by the North Carolina Park Commission, and referred to in Section 12, of the petition, and as shown by his answer filed in this cause, none of said respondents named in said Section 12 of the petition having filed any answer herein, and that said D.F.Connor has heretofore received from the petitioner, the State of North Carolina, compensation in full for said tract and has executed a deed with warranty therefor.

7. That it is further adjudged that J.R.Carver is the owner in entirety of all the lands covered by and embraced in Tract No. 19, as shown by the survey made by the North Carolina Park Commission, and referred to in Section 13 of the petition, and that none of said respondents, whose names are ~~not~~ set out in Section 12 of said petition, have filed any answer or claim thereto and that the said J.R.Carver has theretofore conveyed said lands to the petitioner, the State of North Carolina, and received compensation therefor in full and has executed his deed to said petitioner, which is duly recorded in Swain County.

8. That it is further adjudged that it shall not be necessary for the petitioner to pay into Court the amount assessed on account of Tract No. 135-a, as shown by the survey made by the North Carolina Park Commission, until the controversy in regard to the title thereto, being a controversy between the North State Corporation and the Heirs at law of Jason Wiggins and set out in the answer of James Wiggins, filed herein, shall be determined; that if it shall be determined by proper decree entered herein that the North State Corporation is the true and lawful owner in fee simple of said tract of land that the Court finds as a fact and so decrees that said North State Corporation has been paid in full by the petitioner, the State of North Carolina, compensation therefor, and that the said North State Corporation has executed a good and sufficient deed to the petitioner, which is recorded in Swain County.

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

(a) A three-eighths ( $3/8$ ) mineral interest in all <sup>of</sup> those certain lands lying and being in Swain County, North Carolina, on the waters of Ocona Luffy River, and being Tracts Nos. 58, 59, 68, 69, 70, 71 and 72 of the survey made by the North Carolina Park Commission, as shown and indicated upon the maps of said survey and fully described in Exhibits A-1 to A-7 inclusive referred to in Section 5 of the petition and attached thereto.

(b) All of the mineral interests in and to all of those certain tracts of land lying and being in Swain County, North Carolina, on the waters of Ocona Luffy River, Deep Creek, Indian Creek and Coopers Creek, and being the lands covered by Tracts Nos. 112, 113, 114, 125, 126, 127, 132, 141, 143, 149, 166, 120 and 121 of the survey made by the North Carolina Park Commission, and indicated on the maps of said survey and being described in Section 6 of the petition filed herein and Exhibits B-1 to B-11 inclusive attached thereto.

(c) All of the mineral interests claimed or owned by the Heirs-at-law of James Conley and John Sherrill in all of that certain tract of land lying and being in Swain County, North Carolina, on the waters of Deep Creek, and being Tract No. 129, as shown by the survey made by the North Carolina Park Commission, and fully described in Section 7 of the petition and Exhibit "C" attached thereto.

(d) All of those certain lands and interests in lands lying and being in Swain County, North Carolina, and known as the "Indian Creek School," "Toe String School," "Ravensford School," "Smokemont School," and "Mingus Creek School" properties, and being the school properties heretofore ~~before~~ owned, controlled and in possession of the County of Swain, through its Board of Education, the same being described as follows:

RAVENSFORD SCHOOL TRACT NO. 74

NOTE: All bearings in this description were turned from the true meridian and all distances are expressed in chains of 66 feet.

Lying about one-fourth mile East of the mouth of Raven's Fork of Ocona Luffy River. BEGINNING at corner 1, which is corner 2 of the Hipps & Burgin Tract (110), a point in the Parsons Pulp & Lumber Company Line; Thence South 69-37 E., with the Parsons Pulp & Lumber Company Line; 6.59 chains, corner 2, a point on the southeast side of a small stream; Thence S. 35-30 W., 1.86 chains, Corner 3, a point on the southeast side of stream; Thence N. 70-40 W., 6.06 chains, Corner 4, which is corner 4 of the Ravensford Church Tract (73), a stake; Thence N. 19-19 E., with the East boundaries of the Ravensford Church Tract (73), and the Hipps & Burgin Tract (110), 1.91 chains, the place of BEGINNING, containing 1.17 acres.

TOE STRING SCHOOL TRACT NO. 111

BEGINNING on a poplar by the bridge on the bank of Toe String Creek; thence down the Creek 287 feet to butter nut on bank of said creek to the mouth of a branch; thence with said

branch a northerly direction about 72 feet to a stake at the lower edge of the public road; thence up the public road about 255 feet to the BEGINNING, containing 1/2 acre more or less. Also the right to use the water from a spring situated on the opposite side of the creek from the above and about 25 feet distance there from said spring being near a white walnut tree. Together with the right to pipe said water to the land above described and to maintain and use same for the use of and benefit of said property.

SMOKEMONT SCHOOL PROPERTY

BEGINNING on a bunch of iron wood on the East bank of the Ocona Lufly River and runs North 62 east 20 poles to a stake; then North 40 west 15 poles to the line of the old school property; then with said line to the river; then South 10 East with the river to the BEGINNING, containing one acre more or less.

INDIAN CREEK SCHOOL PROPERTY

BEGINNING on the East bank of Indian Creek at a large chestnut and runs North 75 West 6 poles to a stake; then a S.W. direction 13 poles to a chestnut at a spring; then South 64 East to the Creek; then up the creek to the BEGINNING, containing one half acre.

MINGUS CREEK SCHOOL PROPERTY

A tract of land situated on the Ocona Lufly River, being located upon that certain piece or parcel of land heretofore conveyed by J.C.Hayes and wife, Hattie Hayes, to the State of North Carolina, and referred to in Section 8 of the petition filed herein.

(e) All of that certain tract of land lying and being in Swain County North Carolina, on the waters of Ocona Lufly River, and being Tract No. 57, of the survey made by the North Carolina Park Commission, and fully described in Section 10 of the petition herein and Exhibit "E" thereto attached, and more particularly described as follows:

B.M ENLOE TRACT NO. 57

NOTE: All bearings in this description were turned from the true meridian and all distances are expressed in chains of 66 feet.

Lying on the lower end of Hughes Ridge. BEGINNING at Corner 1, which is corner 2 of the J.A.Chambers Tract (55), a planted stone on top of Hughes Ridge; Thence, S. 82-24 W., 7.14 chains; corner 2, a point at intersection of old marked lined. Set a post scribed C on N.E. side and Q. on S.W. side. A 12" white oak blazed and scribed B.T. bears S. 45-00 E., .16 chain distant; Thence S. 0-27 E., 2.54 chains, corner 3, a 24" black oak, with corner marks and witnesses. An 18" white oak, blazed and scribed B.T. bears N. 57-00 E., .35 chain distant; Thence S. 13-00 W. 26.24 chains, Corner 4, a point at corner of fence; Thence S. 54-14 E., 7.19 chains, Corner 5, a 24" chestnut scribed E.; Thence S. 15-18 W., .76 chains, Corner 6, a 30" white oak scribed E.; Thence S. 12-23 W., 4.97 chains, Corner 7, a large walnut in M.B.Enloe's yard, shown as corner by Mrs.Enloe; Thence S. 46-29 W., 4.06 chains, Corner 8; set a post scribed E.; a 14" chestnut blazed and scribed B.T.-E. bears S. 70-00 W., .10 chain distant; Thence S. 7-21 E., 5.27 chains, Corner 9, a point shown by Hilliard Enloe as site of old dogwood corner; Set a locust post scribed E.; Thence N. 89-22 E., 16.48 chains, Corner 10, a hickory sprout with witnesses, on top of a ridge; set a post scribed E.; Thence N. 3-07 E., 11.81 chains, Corner 11, a point with witnesses; Thence N. 40-27 W., 1.50 chains, Corner 12, a 16" white oak with old marks; thence N. 12-42 E., 12.72 chains, Corner 13, a sourwood with corner marks, on ridge top; Thence N. 10-07 W., 6.35 chains, Corner 14, a large white oak with old marks, on ridge top; Thence N. 31-39 W., 13.31 chains, Corner 15, a point on ridge top; and in the Indian ~~State~~ Boundary Line; Thence N. 86-13 W., with the Indian ~~Creek~~ Boundary Line, 2.92 chains, Corner 16, an iron pipe marked I.B.; Thence N. 41-50 E., 4.43 chains, the place of BEGINNING, containing 69.16 acres.

(f) All of that certain tract of land lying and being in Swain County, North Carolina, on the waters of Ocona Lufly River, and being Tract No. 21, as shown by the survey made by the



North Carolina Park Commission, and described in Section 11 of the petition herein and Exhibit "F" attached thereto, and more particularly described as follows:

J.M.AYERS TRACT NO. 21

NOTE: All bearings in this description were turned from the true meridian and all distances are expressed in chains of 66 feet.

Lying on both sides of the West Fork of Ocona Luffy River. BEGINNING at corner 1, which is corner 3 of the James Bradley Tract (22), a 12" chestnut with old marks and witnesses, in the line of Grant 133; Thence S. 67-07 E., with the line of the James Bradley Tract (22) 13.47 chains, Corner 2, 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 with meanders of the ridge, S. 8-44 E., 1.73 chains, a point; S. 0-05 W., 3.84 chains, a point; S. 26-15 E., 1.39 chains, a point; S. 20-18 E., 2.50 chains, a point; S. 27-22 E., 1.49 chains, a point; S. 19-34 E., 2.16 chains, a point; S. 8-01 E. 2.41 chains, a Point; S. 21-01 E., 1.92 chains, Corner 3, a chestnut stake on ridge top; a 20" white oak blazed and scribed B.T. bears N. 42-00 E.; Thence N. 80-39 W., 4.46 chains, Corner 4, a planted stone, shown as the corner by John C.Reagan; Thence S. 4-10 W., 4.71 chains, Corner 5 a point in public road, shown as corner by John C.Reagan; Thence with the meanders of road, N.44-30 W., 3.51 chains, a point; N. 50-50 W., 3.57 chains, a point; N. 72-28 W., 2.14 chains, Corner 6, which is corner 15 of the Champion Fibre Co. Tract (1c), a point beside road leading to Ayers Mill; thence with five lines of the Champion Fibre Co. Tract (1c), S. 32-50 W., 1.57 chains, Corner 7, a planted stone at old bridge abutment. An 18" sycamore, blazed and scribed B.T.-A1, Cor. 8, bears N. 81-00 W. .20 chain distant; N. 71-39 W., 13.49 chains, Corner 8, a point on North bank of the river; S. 24-47 W., .73 chains, logging railroad, bearing East, 1.57 chains, Corner 9, a point in old river bed; S.54-42 E., 7.43 chains, Corner 10, a 40" mountain oak with old marks, blazed and scribed A2, Cor. 3; S.20-55 W., .74 chains, Corner 11, which is corner 10 of the Champion Fibre Co. Tract a point on East bank of a small stream; Thence up the stream with its meanders a line of the J.M.Kimsey Tract (23); S. 35-13 W., 1.60 chains, a point; S. 51-07 W., 2.04 chains, a point; S.40-41 W., 1.53 chains, a point; S. 31-58 W., 1.40 chains a point; S.10-15 W., 1.04 chains, Corner 12, a stake in the branch; S. 60-27 E., 6.40 chains, Corner 13, a walnut post scribed A-2, Cor. V, a 10" hemlock, blazed and scribed B.T.-A2, Cor. V., bears S. 67-00 W. .25 chain distant; Thence with two lines of the Champion Fobre Co. Tract(1c), S. 39-35 W., 7.24 chains, Corner 14, a planted stone with witnesses; S. 40-32 W., 14.47 chains, Corner 15, which is corner 2 of the Champion Fibre Co. Tract(1c), a point in logging road, with witnesses; Thence S. 38-48 W., 15.13 chains, Corner 16, a chestnut stake; a 15" buckeye scribed B.T. -A2, Cor. VII, bears N. 65-30 E., .24 chain distant; Thence N. 86-29 W., 12.06 chains, Corner 17, a locust stake beside a hickory with old marks: A 14" oak, scribed B.T. Cor. VIII, bears N. 45-00 W., .10 chain distant; Thence N. 39-49 W., 30.47 chains, pass corner 31, of the Champion Fibre Co. Tract (1); 36.95 chains, Corner 18, which is corner 30 of the Champion Fibre Co. Tract (1), a 20" cheatnut with old marks, scribed A2, Cor. 9; Thence N. 12-35 E., 1.62 chains, Corner 19, which in corner 9 of the J.R.Kimsey Tract 20, a 20" white oak with old marks, scribed K-Cor. 8, near top of Cat Pin Ridge; Thence down the ridge with its meanders, a line of the J.R.Kimsey Tract (20), N. 88-53 E., 1.58 chains, a point; N. 78-14 E., 7.64 chains, a point; N. 67-09 E., 1.60 chains, a point; N. 56-26 E., 1.79 chains, a point; N. 75-10 E., 2.35 chains, a point; N. 60-28 E., 2.98 chains, a point; N. 53-06 E., 3.38 chains, a point; N. 88-59 E., 2.97 chains, a point; N. 78-12 E., 3.34 chains a point; N. 15-38 E., 1.00 chains, a point; N. 84-11 E. 4.45 chains, a point; N. 83-34 E., 2.13 chains, a point; N. 67-59 E., 2.44 chains, a point; S. 72-48 E., 2.57 chains, a point; N. 78-05 E., 1.30 chains, a point; S. 85-43 E., 2.77 chains, a point; N. 81-31 E., 2.61 chains, a point; S. 81-00 E., 1.00 chains, a point; N. 76-22 E. 1.70 chains, a point; S. 69-52 E. 1.45 chains, Corner 20, a 20" spanish oak, scribed K-Cor. 7; Thence with seven lines of the J.R. Kimsey Tract (20), N. 29-46 E., 5.23 chains, Corner 21, a point in center of river; S. 65-44 E.,

1.84 chains, Corner 22, a poplar stump; S. 84-32 E., 2.58 chains, Corner 23, a stake on North bank of Mill Race; N. 37-03 E., 4.33 chains, Corner 24, a stake at corner of fence, on South bank of road; S. 8-15 E., 1.78 chains, Corner 25, a 14" white oak on/bank of road, scribed north  
E-Cor. 3; N. 16-48 E., 6.77 chains, Corner 26, a stake at corner if fence; N.1-46 E., 7.35 chains, the place of BEGINNING, CONTAINING 183.44 acres.

(g) All of that certain tract of land lying and being in Swain County, North Carolina, on the waters of Ocona Lufly River, and being Tract No. 17, as shown by the survey made by the North Carolina Park Commission, and described in section 12 of the petition and Exhibit "G" attached thereto, and more particularly described as follows:

D.F.CONNOR TRACT NO. 17

NOTE: All bearings in this description were turned from the true meridian and all distances are expressed in chains of 66 feet. Lying on both sides of the west fork of Ocona Lufly River, BEGINNING at corner 1, which is corner 4 of the Mrs.M.L.Maney Tract (16), a post in a mound of stones, beside a large hemlock stump; thence N. 87-05 E., with a line of the Mrs. M.L.Maney tract, 17.76 chains, Corner 2, a planted stone, on the bank of the river, corner 1 of the Mrs. M.L.Maney tract; thence N. 21-29 W., up the river, .87 chain, Corner 3, which is Corner 1 of the Charles W.Connor tract (15), a point in center of river; thence N. 47-33 E., with the line of the Charles W.Connor tract, 10.82 chains, Corner 4, a stake; thence S. 88-21 E., 2.84 chains, Corner 5, a stake;with witnesses on top of a spur ridge; a 6" red oak, blazed and scribed B.T.-C.C., Cor. 3, bears N. 14-00 E..13 chain distant; thence up the ridge with its meanders, N. 56-54 E., 1.15 chains, a point; N. 59-05 E., 1.34 chains, a point; N. 49-11 E., 3.25 chains, a point; N. 71-19 E., 1.64 chains, a point; N. 59-36 E., 1.51 chains, a point; N. 33-48 E., 2.04 chains, a point; N. 4-25 E., 1.64 chains, a point; N. 3-38 W., 2.84 chains, a point; N. 21-31 E., 2.82 chains, Corner 6, a stake in a line of the Champion Fibre Co. Tract (1a); a 10" pine, blazed and scribed B.T.-C.C. Cor. 4, bears S. 26-30 E. .13 chain distant; thence N. 77-42 E. with a line of the Champion Fibre Co. Tract (1a), 4.62 chains, Corner 7, a planted stone with witnesses, in the line of Grant 74; thence S. 14-11 E., with the line of Grant 74, 9.80 chains, Corner 8, which is corner 2 of the J.A.Martin tract (2a) a white oak with old marks and witnesses, in line of Grant 74; thence S. 13-52 E., with a line of Grant 74, 44.03 chains, Corner 9, a point at intersection with the N.W.Boundary of Grant 133; thence S. 15-08 E., with the line of Grant 74, 9.91 chains, Corner 10, a 38" poplar, with old marks, in a hallow, the beginning corner of Grant 74; thence, S. 31-26 W., with line of Grant 74, 1.83 chains, Corner 11, which is corner 3 of the J.R.Carver Tract (19) a point in the road; thence with the meanders of the road, a line of the J.R.Carver Tract (19), S. 77-44 W., 3.24 chains, a point; N. 63-04 W., 5.27 chains, a point; S. 65-16 W., 2.16 chains, a point; N. 83-08 W., 1.55 chains, Corner 12, a point with witnesses, on the bank of road; a 14" white oak, scribed B.T. Cor. 2, bears N.47-15 E., thence S. 48-15 W., 4.12 chains, Corner 13, which is corner 1, of the J.R.Carver tract and corner 5 of the Mrs. J.M.Doudle tract, a point in the road bed of the logging railway, the site of old hemlock corner on bank of the river; thence up the river, with its meanders, N. 8-30 W., 3.25 chains, a point; N. 30-25 E., 2.77 chains, a point; N. 46-37 W., 5.55 chains, a point; N. 21-05 W. 5.80 chains, a point; N. 52-58 W., 3.03 chains, a point; S. 83-53 W., 2.32 chains, a point; N. 33-07 W., 6.98 chains, a point; N. 21-40 W., 5.44 chains, a point; N. 66-45 W., 3.77 chains, a point; N. 42-45 W., 2.47 chains, a point; N. 22-29 W., 3.35 chains, Corner 14, a point in center of river; thence S. 55-51 W., 18.01 chains, Corner 15, which is corner 25 of the Champion Fibre Co. Tract (1), a point in markrd line of Grant 74; thence N. 22-33 W., 18.17 chains, the place of BEGINNING, containing 145.51 acres.

(h) All of that certain tract of land lying and being in Swain County, North Carolina, on the waters of Ocona Lufly River, and being Tract No. 19, as shown by the survey made by the North Carolina Park Commission, and described in Section 13 of the petition and indicated on the

plat attached thereto as Exhibit "G" and being a portion of the lands on said exhibit colored in brown, and being the same lands conveyed to the State of North Carolina by J.R. Carver and wife by deed duly recorded in Swain County, North Carolina.

(i) A two-thirds ( $\frac{2}{3}$ ) undivided interest in that certain tract of land lying and being in Swain County, North Carolina, on the waters of Deep Creek, and being Tract No. 133, as shown by the survey made by the North Carolina Park Commission, and referred to in Section 14 of the petition and described in Exhibit "H" attached thereto, and more particularly described as follows:

HOY THOMAS TRACT NO. 133

NOTE: All bearings in this description were turned from the true meridian and all distances are expressed in chains of 66 feet.

Lying on both sides of Deep Creek and about 3- miles above the Mouth of Indian Creek. BEGINNING at corner 1, a point in the line of the T.D. Bryson Tract (132), 9.14 chains from corner 6, a 40" hemlock; Thence with the Bryson Tract (132), N. 23-58 W., 14.00 chains, Corner 2, a post beside a 40" black oak blazed and scribed B. Cor. 5; Corner 5 of the Bryson Tract (132); Thence S. 19-07 W., 29.78 chains, small stream flows East; 49.00 chains, Corner 3, a chestnut oak with witnesses, blazed and scribed T. Cor. 2; Thence S. 27-45 E., 30.03 chains, Corner 4, an 18" chestnut oak with witnesses, blazed and scribed T.C. 3; Thence, N. 19-14 E., 44.26 chains, Corner 5, a 24" chestnut oak, blazed and scribed T.C. 4; Thence N. 19-52 W., 19.65 chains, the place of BEGINNING, containing 103.30 acres.

(j) All of that certain tract of land lying and being in Swain County, North Carolina, on the waters of Mill Creek, a tributary of Noland's Creek, and being Tract No. 135a, as shown by the survey made by the North Carolina Park Commission, and referred to and described in Section 15 of the petition and Exhibit "I" attached thereto, and particularly described as follows:

J. G. K. McCLURE TRACT NO. 135a

Lying on the East bank of Mill Creek, about half a mile above its mouth; BEGINNING at corner 1, a chestnut stake scribed T.S. Cor. 4-W.M.-W.B. A common corner to the M.T. Stanford Tract (139), and the W.R. Branton Tract (140); Thence with six lines of the Stanford Tract (139), S. 68-15 E., 7.77 chains, Corner 2, a maple stake scribed T.S. Cor. #5; S. 17-10 E., 12.17 chains, Corner 3, a chestnut stake scribed T.S. Cor. #6; S. 71-45 W., 14.12 chains, Corner 4, a hickory stake, scribed T.S. Cor. #7; S. 19-21 E., 2.72 chains, Corner 2, chestnut stake scribed T.S. Cor. #8; S. 81-18 W., 6.79 chains, Corner 6, birch stake scribed T.S. Cor. #1; S. 0-30 W., 1.28 chains, Corner 7, a point in old grant line a common corner with the Stanford Tract (139); Thence with the old grant line, N. 75-45 E., 30.57 chains, Corner 8, a 30" chestnut, scribed W.F.L. Cor. 4, on top of a ridge and common corner to the W.F. Laws Tract (138); Thence with the Laws Tract (138), and the meanders of the ridge, N. 17-55 E., 2.65 chains, a point; N. 3-03 W., 3.02 chains a point; N. 10-16 E., 6.95 chains, a point; N. 38-45 E., 3.87 chains, a point; N. 14-51 E., 3.51 chains, a point; N. 18-48 E., 4.40 chains, a point; N. 36-29 E., 2.52 chains, a point; N. 25-10 E., 4.98 chains, a point; N. 17-59 E., 1.25 chains, Corner 9, a point at intersection with a marked line, and corner 130 of the Champion Fibre Co. Tract (1); Thence with the Champion Fibre Co. Tract (1), N. 86-40 W., 22.65 chains, Corner 10, a point in the center of Mill Creek, a 14" birch scribed B.T.C.F. bears S. 70-00 W. .15 chain distant; Corner 131, of the Champion Fibre Co. Tract (1), and common corner to the W.R. Branton Tract (140) thence with the Branton Tract (140) and the meanders of Mill Creek, S. 72-23 W., 3.26 chains, a point; S. 35-36 W., 7.70 chains, a point; S. 1-35 E., 4.91 chains, a point; S. 53-59 W., 2.39 chains, a point; S. 0-01 E. 2.32 chains, the place of BEGINNING, containing 79.01 acres.

EXCEPTING HOWEVER, from this conveyance a tract of sixteen acres lying in the southeast corner of the lands above described and being that portion thereof not covered by and included with the calls of Grant No. 22, leaving a net acreage conveyed by this deed of 63.01 acres.

(k) All of that certain tract of land lying and being in Swain County, North Carolina, on the waters of Oconalufly River, and being Tracts Nos. 99 and 99a of the survey made by the North Carolina Park Commission, and referred to and described in section 17 of the petition and Exhibit "K" attached thereto, and more particularly described as follows:

J. J. AND K. ENLOE TRACT NO. 99

Lying west of Mingus Creek and on both sides of Woody Branch, a tributary of Mingus Creek BEGINNING at corner 1, a point on top of a ridge. A 36" chestnut tree bears S. 35-00E..18 chain distant, scribed B.T.J.J.E. Cor.No.1, a common corner to the Ed Floyd Tract (88a) and the Elbert Keener Tract (96); thence with the Floyd Tract (88a) N. 70-03 W., 11.61 chains, corner 2, a stake scribed J.J.C. Cor. II, which is also corner 37 of the Champion Fibre Co. Tract (1); thence with two lines of the Champion Fibre Co. Tract (1) N. 2-20 E., 20.25 chains, corner 3, a planted stone, a 12" chestnut oak witnesses is scribed B.T.J.J.E. Cor. III, S. 89-13 E., 6.24 chains, is red oak and corner 35 of the Champion Fibre Co. Tract (1); 28-91 chains, corner 4, a chestnut stake in the J.E.Coburn line on top of Jenkins Ridge, scribed J.J.E. Cor. IV; a 15" chestnut bears S. 82-00 W. .18 chain distant, scribed B.T.J.J.E. Cor. No. IV; thence with the Coburn Tract (100), S. 3-15 W., 10.71 chains, Corner 5, an old stake, with a 30" chestnut tree witness scribed B.T.J.J.E. Cor. II, a common corner to the Elbert Keener Tract (96), and the Mrs. James Tredaway Tract (98); thence with the Keener Tract (96); S. 89-51 W., 17.58 chains, Corner 6, a 20" maple, scribed E.K. Cor. II, S.3-06 W., 13.18 chains, to the point of BEGINNING, containing 43.93 acres.

J. J. AND K. ENLOE TRACT NO. 99a

NOTE: All bearings in this description are turned from the true meridian and all distances are expressed in chains of 66 feet.

Lying in the Western portion of the watershed of <sup>the</sup> West Fork of the Oconalufly River, Beginning at corner 1, which is corner 32 of the Champion Fibre Co. Tract (1), and a common corner of the J.E.Coburn Tract (100), a 3" mountain oak with markings and witnesses; Thence with the Champion Fibre Company Tract (1), N. 18-36 E., 35.15 chains, Corner 2, which is corner 31 of the Champion Fibre Company Tract (1), and a common point in the line of the J.M.Ayers Tract (21); Set a chestnut post in mound of stone; a 6" chestnut oak, scribed B.T.J.E bears S. 15 chain distant; Thence three lines with the J.M.Ayers Tract (21), S. 39-49 E., 30.47 chains, Corner 3, a locust stake beside a hickory with old marks; a 14" oak, scribed B.T.-A2, Cor. 8, bears N. 45-00 W. .10 chain distant; Thence S. 86-29 E., 12.06 chains Corner 4, a chestnut stake, a 15" buckeye scribed B.T.-A2, Cor, 7, bears N. 65-30 E., .24 chain distant; Thence N. 38-48 E., 15.13 chains, corner 5, which is corner 2 of the Champion Fibre Co. Tract (1-c), a point in logging road with witnesses; Thence with the Champion Fibre Co. Tract (1c), S. 2-05 E., 16.51 chains, corner 6, a chestnut with old markings, in the line of Grant 80, and corner 1 of the Champion Fibre Co. Tract (1c); Thence five lines with the Brabley Heirs Tract (31), S. 57-53 W., 5.40 chains, Corner 7, a chestnut with old marks in line of Grant 80; Thence S. 47-56 W., with a line of Grant 80, 6.74 chains, Corner 8, a planted stone in place of old maple stump; a 12" chestnut oak blazed and scribed B.T.B.H. Cor. 5, bears N. 71-30 W., .21 chain distant; thence with a line of Grant 80, N. 81-09 W., 3.51 chains, Corner 9, an oak scribed B.H. Cor. 6; thence with a line of Grant 80, S. 49-11 W., 11.73 chains, Corner 10, a stake in intersection of marked lines; a 14" chestnut blazed and scribed B.T.B.H. 7, bears S. 13-30 E. .14 chain distant; Thence with a line of Grant 80, S. 12-56 E., 3.34 chains, Corner 11, a point in the intersection of north boundary of J.E.Coburn Tract (100), with the Southwest boundary of Grant 80; thence two lines with the J.E.Coburn Tract (100), N. 87-19 W., 20-05 Chains, corner 12, locust stake scribed L-C Cor. 8, set as indicated by old witnesses; a 14" chestnut tree scribed B.T.I.C. Cor. 8, bears N. 65-00 W., .30 chain distant; thence N. 42-40 W. 16.83 chains, to the place of BEGINNING, containing 124.56 acres.

(1) All of that certain tract of land lying and being in Swain County, North Carolina, on the waters of Oconalufly River, and being Tract No. 99b, of the survey made by the North Carolina

Park Commission, and referred to and described in Section 13 of the petition and Exhibit "L" attached thereto, and more particularly described as follows:

J.J. AND K. ENLOE TRACT NO. 99b

Lying in the western watershed of Mingus Creek just South of Ramsey Branch. BEGINNING at corner 1, a white walnut with corner marks which is corner 4 of the W.M. Hoyle Tract (95), running thence with three lines of the Hoyle Tract (95), South 86-30 E., 2.22 chains, Corner 2, a stake; N. 5-30 E., 4.05 chains, Corner 3, a point in the center of Ramsey Branch, a stake beside a hemlock stump bears S. 5-30 W., .22 chain distant; N. 86-30 W., with the center line of Ramsey Branch, 2.54 chains, Corner 4, a point in the marked line of the Ed Floyd Tract (88a); thence with the Floyd Tract (88-a), S. 1-02 W., 4.05 chains, to the place of BEGINNING, containing .96 acres.

10. IT IS FURTHER CONSIDERED, ADJUDGED AND DECREED BY THE COURT that all the costs of this proceeding properly 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 19 day of March, 1931.

V.A. Browning  
Clerk Superior Court  
Swain County, North Carolina.

NORTH CAROLINA

SWAIN COUNTY.

I, V.A. Browning Clerk of the Superior Court of Swain County, North Carolina, do hereby certify that the foregoing is a true and perfect copy of the final judgment and decree in the above entitled Special Proceedings brought by the State of North Carolina, Petitioner, against T.I. Hughes et al respondents as the same appears on file and as recorded in Docket Special Proceedings Book No. 4 at page 114 et seq. in this office.

Witness my hand and official seal this the 19th day of March, 1931.

V.A. Browning  
Clerk of the Superior Court  
of Swain County, North Carolina.

Filed for registration at 2:30 o'clock P.M. March 20, 1931 and recorded in the office of the Register of Deeds for Swain County, North Carolina, in Book 56 at page 546.

Frank Hyatt  
Register of Deeds Swain County.