

Being a tract of land containing fifty acres, more or less, situate on Noland Creek, in Swain County, North Carolina, and more particular described as follows:

BEGINNING on a birch on the East bank of Noland Creek, corner of mixed tract now owned by Jack Hall, and runs S. 6 deg. West 41 poles to a chestnut; then S. 35 deg. E. 46 poles to a hickory on top of the ridge on Noland Creek and Andrews Branch; then S. 75 deg. E. with the meanders of the said ridge 40 poles to a chestnut on the North side of the top of the ridge; then N. 10 deg. E. 62 poles to a stake on the bank of Noland Creek; then N. 50 deg. W. leaving Noland Creek at 34 poles, 60 poles to a spanish oak; then S. 77 deg. with the said Hall's line to the Beginning, containing Fifty acres, more or less, and being the same land conveyed to James S. Branton by C.J. Decker and wife, by deed dated November 14th, 1914, registered in deed Book 41, page 196, Records of Swain County, North Carolina.

TO HAVE AND TO HOLD, the above conveyed lands and premises together with all the privileges and appurtenances thereunto belonging unto the said Harley Branton, his heirs and assigns in fee simple absolute forever in as full and ample manner as the said Charlie Branton, Commissioner as aforesaid, is by the aforesaid decrees of the Court, authorized and empowered to convey the same.

IN TESTIMONY WHEREOF, the said Charles Branton, Commissioner and Guardian, as aforesaid has hereunto set his hand and seal, the day and year first above written.

Charles Branton (Seal)
Commissioner.

NORTH CAROLINA,

I, S.B. Smiley, Clerk of the Superior Court of Swain County, North Carolina, do hereby certify that Charlie Branton, Guardian and Commissioner of the Court, as set forth in the foregoing deed of conveyance, personally appeared before me this day and acknowledged the due execution by him of the foregoing deed of conveyance. Let this instrument with this certificate be registered.

Witness my hand and seal, this the 13 day of March, 1924.

S.B. Smiley (Seal)
Clerk of the Superior Court.

Filed for registration at 11:30 o'clock A.M. January 14, 1932 and registered in the office of the Register of Deeds for Swain County, North Carolina, in Book 60, page 168.

Frank Hyatt
Register of Deeds.

North Carolina,

In the Superior Court.

Swain County.

STATE OF NORTH CAROLINA,

-vs-

JUDGMENT

T.I. Hughes, A.H. Hughes, Hoy
Thomas and wife, Kittie Thomas,
et al.

Whereas, in the above entitled cause a decree was duly and regularly entered by the Clerk of this Court on the 19th day of March, 1931, which said decree is duly recorded in the office of the Register of Deeds of Swain County, North Carolina, in Book No. 56, page 546 et seq., decreeing that the State of North Carolina is the owner of the various pieces, parcels and portions of land therein fully described; and

Whereas, Hoy Thomas and wife, Kitty Thomas, appealed from the amount allowed them by the jury of view or appraisers, and appealed from the judgment of the Clerk, affirming said award; and

Whereas, the petitioner, State of North Carolina, and the respondents and their attorneys have consented and agreed that the respondents, Hoy Thomas and wife, Kitty Thomas, be paid the sum of \$1400.00 for their said lands instead of and in lieu of the sum of \$1200.00

assessed and allowed by said jury of view and that said respondents withdraw their appeal in the above entitled action:

Now, therefore, by consent, it is considered, ordered and adjudged that said final decree hereinabove referred to be, and the same is hereby modified and amended so as to adjudge that the said Hoy Thomas and wife, Kitty Thomas, are entitled to an award in said sum of \$1400.00 above referred to, the same to be paid into the office of the Clerk of the Superior Court in accordance with and for the purposes provided in said decree heretofore entered in this action before the Clerk, and upon the payment thereof the State of North Carolina is the owner in fee of said tracts of land, and the said Hoy Thomas and wife, Kitty Thomas, are adjudged thereafter to have and to hold no interest in the same.

It is further by consent ordered and adjudged that the State of North Carolina pay all court cost accrued.

This Monday, January 11th, 1932.

BY CONSENT:

Edwards & Leatherwood
Attorneys for State of
North Carolina.

Frye & Jones
Attorneys for Hoy Thomas
and Kittie Thomas.

North Carolina,
Swain County.

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

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 consent decree entered before me, the said Clerk, on the 11th day of January, 1932, as the same appears on file and records in my office.

In witness, whereof, I have hereunto set my hand and official seal, this the 18 day of Jan., 1932.

(SEAL)

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

Filer for registration at 10:15 o'clock A.M. January 18, 1932 and registered in the office of the Register of Deeds for Swain County, North Carolina, in Book 60, page 169.

Frank Hyatt
Register of Deeds.