

My commission expires 12-19-30
(Notary Public Seal)

STATE OF NORTH CAROLINA:
SWAIN COUNTY :

The foregoing certificates of R.W. Bradley a Notary Public of the County Gaston and Will W. Wiggins a Notary Public of the County of Swain are adjudged to be correct. Let the instrument and the certificates be registered.

This 19 day of March A.D. 1930.

V.A. Browning
Clark Superior Court

Filed for registration at 9:00 o'clock A.M., March 20 1930 and registered in the office of the Register of Deeds for Swain County, North Carolina, in Book 59 Page 66 March 20 1930.

Elvie Burnette
Register of Deeds

NORTH CAROLINA
SWAIN COUNTY

THIS DEED, made this 19th day of March, A.D. 1930, by and between J.T. Keener, Guardian of James T. Keener, for himself Sallie Keener, Nancy Keener, Susan Keener, Pendleton Keener and John Keener, minors and Thomas Keener, a single, Emma Keener, single, and Mary Keener, single hereinafter called Grantors, whether one or more, and the State of NORTH CAROLINA, hereinafter called Grantee:

W I T N E S S E T H :

THAT WHEREAS the said J.T. Keener heretofore, to-wit: on the 5th day of November, 1929, duly appointed and qualified as Guardian for the said Emma Keener, Sallie Keener, Nancy Keener, Susan Keener, Pendleton Keener and John Keener, who are minors residing in Jackson County, North Carolina, said appointment having been made by the Clerk of the Superior Court of Jackson County; and,

WHEREAS the said J.T. Keener, Guardian of said minors on the 2nd day of January, 1930, filed a petition duly verified before the Clerk of the Superior Court of Swain County, North Carolina setting out the interests of said minors in the lands hereinafter described, said petition having been filed for the purpose of selling the interests of said minors in said lands upon the terms set out in said petition; and,

WHEREAS a decree was duly entered upon said petition after proper proceedings had been thereon by the Clerk of the Superior Court of Swain County, authorizing and directing the said J.T. Keener as such Guardian to sell the interest of said minors, in said lands, each of said minors being entitled to a one-fifth-sixth interest therein based upon a total price of \$800.00 for the entire tract and authorizing and directing said guardian to execute a good and sufficient deed thereof upon the payment of the purchase money by the grantee named herein; and,

WHEREAS said purchase money has been paid by the Grantee, the receipt of which is hereby acknowledged; and,

WHEREAS the said Thomas Keener and Mary Keener, both being of legal age, individually own a one-fifth-sixth undivided interest each in said land and join in this conveyance for the purpose of conveying to the grantee.

NOW THEREFORE, the said parties of the first part for and in consideration of the payment to them by the grantee of the said sum of \$800.00, the receipt of which is hereby acknowledged have bargained and sold and by these presents do bargain, sell and convey unto the said Grantee, its successors and assigns forever, all of that said piece, parcel or tract of land, lying and being in Swain County, North Carolina on the waters of Cooper's Creek and being more particularly described as follows, to-wit:

BEGINNING at corner 1, which is corner 52 of the Champion Fibre Co. Tract 1, as shown by survey made by the North Carolina Park Commission, a post in a mound of stones, on the N.W. side of Cooper's Creek, a 5" white oak bears N. 20-00 E. .10 chain/distant; thence with lines of Champion Fibre Company Tract S. 66-28 W. 7.59 chains, stream flows S. 15.10 chains, corner 2, a planted stone with witnesses; thence South 11-05 West 36.63, corner 3, a black oak stump, with white oak and hickory witnesses, set a walnut post scribed C.F.-K; thence N. 64-30 E. to the center of Cooper's Creek; thence up Cooper's Creek with its meanders to the Champion Fibre Company line; thence N. 00-47 W. 11.94 chains, the place of BEGINNING, containing 30 acres.

TO HAVE AND TO HOLD the said premises, above described, with every privilege and appurtenance thereunto belonging, to the said grantee, its successors and assigns, to its and their only use and behoof forever.

The grantors covenant to and with the grantee, its successors and assigns: That they are the owners of and are seized of the premises in fee; that they have good right to convey the same in fee simple; that the said premises are free and clear from encumbrances, except as hereinafter stated; and, that they will forever warrant and defend their said title to said premises against the claims of any person whomsoever.

IN TESTIMONY WHEREOF, the said grantors have signed and sealed these presents the day and year above written.

James T. Keener (Seal)
Guardian
Thomas Keener (Seal)

Mary Keener (Seal)
Emma Keener (Seal)
James T. Keener (Seal)

NORTH CAROLINA
SWAIN COUNTY

I, Will W. Wiggins, do hereby certify that J.T. Keener, individually, and as Guardian of Sallie Keener, Nancy Keener, Susan Keener, Pendleton Keener and John Keener, minors and Thomas Keener, Emma Keener, and Mary Keener, personally appeared before me this day and acknowledged the due execution by them of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial Seal, this the 19th day of March, 1930.

My commission expires; December 19, 1930.
(Notary Public Seal)

Will W. Wiggins
Notary Public

NORTH CAROLINA
SWAIN COUNTY

The foregoing certificate of Will W. Wiggins, a Notary Public of Swain County, is adjudged to be correct. Let the instrument and the certificates be registered. This 19 day of March, 1930.

V.A. Browning C.S.C.

Filed for registration at 9:00 o'clock A.M., March 20 1930 and registered in the office of the Register of Deeds for Swain County, North Carolina, in Book 59 page 67 March 20 1930.

Ellie Burnett
Register of Deeds

STATE OF NORTH CAROLINA
COUNTY OF SWAIN

IN THE SUPERIOR COURT

STATE OF NORTH CAROLINA, Petitioner,

VERSUS

Mark Cathey, Justine Sherrill, William Sherrill, Rowena Thompson, Roy Thompson, Minnie Thompson, Holland Wiggins, William Wiggins, Lillie Wiggins, Maggie Wiggins, John Thompson, Thompson, Julia Jackson, Frank Earl, Sarah Earl, Amanda Price and husband, Price, Nora Lambert, Ed Lambert, Julia Jenkins, Jane Camby, J. C. Camby, Lutisha Moose, Joe Moose, Elmer Jenkins, Josephine Jenkins, Joshua Howard and wife, Theodora Howard and wife, Roy Howard and wife, Carrie Totherow and husband, Orpha Mendenhall, W. C. Mendenhall, M. C. Millsaps, Hattie Millsaps, Josephine Maddox, Nenie Sherill, William Sherrill, Jim Millsaps, Lillie Millsaps, John Millsaps, Mary Millsaps, Louis Cunningham, Nannie Cunningham, Duicie Cunningham, Glenn Cunningham, John Earl and wife, Everett Earl, Dr. Hermon Earl and wife, B. Burrell and wife, Lillie Burrell, Docia Moales, Arthur Moales, infant son of W. L. Cope and Docie Cope Moales, Mary Mashburn, George Mashburn, Julia Chastine, Sam Chastine, Rosa Ensley, Ellis Ensley, Rebecca Ensley, and husband, Dollie Ensley, Austin Ensley, George Cope and wife, Delphia Cope, T. J. Edwards, Mae Edwards, Mattie McLean, Thuman Leatherwood, Trustee, Dr. H. W. Tidmarsh, Dr. J. L. Reeves, C. B. Mott, Julia Davis Mott, T. J. Ferguson, S. R. Patterson, Merchantile Supply Company, Will Orr, Florence Orr, Ed Cline Minnie Cline, Maude Seay, Rebecca Swaim, Carlos Swaim, Lawrence Swain, Benjamin Swain, Josie Lollis, Ben Lollis, Martha Lollis, Tellie Woody, Samuel Woody, Fred Lollis, Laura Medford, Charles Medford, Frank Lollis, Nellie Lollis, Arthur Lollis, Lloyd Lollis, Jack Lollis, N. Verne Lollis, W. T. Conley, Frank Conley, Claude Conley and wife, Hattie Epps, A. L. Epps, A. L. Epps, Ida Conley, Lillie ~~Conley~~, George Fisher, William Bryson, Americus Gibson, Talitha Ward, ~~Jad Ward~~, Clementine Enloe, B. M. Enloe, C. J. Harris, H. A. Davis and wife, ~~Davis~~ Robert Swaim, A. J. Franklin, Trustee, A. J. Franklin, Jr., B. C. ~~Thomas~~, Lillie Reid and husband Fred Reed, Cling Cope and wife, Walter Cope and wife, Hamilton Cope Heirs as follows: Mary Cope, widow, Cling Cope and wife, Pearley Cope, Dillard Cope and wife, Hattie, Ollie Cope Ashe and husband, Hershel Ashe, Martha Cope Russell and husband, Frank Russell, and Zonia Cope and husband.

FINAL

JUDGMENT

Respondents

This cause coming on to be heard before the undersigned, Clerk of the Superior Court of Swain County, North Carolina on this the 20th day of February, 1930 and upon the motion of counsel for the petitioner for a final judgment in said proceeding, and being heard and the Court having found, and hereby finding the facts as follows, to-wit:

-1-

That this proceeding is duly constituted in this court; that summons was issued therein on the 26th day of November, 1929 and that the duly verified petition of the State of North Carolina was on said day duly filed in this court and that the duly verified petition was on said date duly filed in this court together with copies thereof as provided by law and the said summons was duly served upon the several 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 of the Session of 1927, has been duly published in all respects as therein required, whereby all persons whom it may concern and all persons having or claiming to have any estate or interest in the lands sought to be condemned in this proceeding have been duly notified and required to appear therein at the time and place therein mentioned and to make such answer, defense or plea as they may be advised; and that thereafter, to-wit: on December 5, 1929, an order of publication was duly made by this court for the purpose of serving said summons on such of said respondents or defendants as are non-residents of the State of North Carolina whose names are contained and fully set out in said order of publication and that said order of publication was duly published for the time required by law in the Bryson City Times, a newspaper published in Swain County, North Carolina, and it further appearing that said notice of publication required by Chapter 48 of the Public Laws of North Carolina was also published in said Bryson City Times, a secular newspaper published in Swain County, North Carolina, for the time required by law; and that the affidavits of the printer of said newspaper showing the publication of said notices as required by law has been duly filed and is of record in this proceeding and that thereafter, to-wit: On January 6, 1930, T. J. Edwards, one of said respondents filed an answer in this proceeding and that on December 14, 1929, Mark Cathey, another of said respondents filed an answer herein and that on January 14, 1930, Josie Lollis, on behalf of herself and the children and heirs at law of A. T. Lollis, whose names are set out in the summons and in the petition, duly filed and answer individually and as guardian for such of said heirs at law of A. T. Lollis as are minors, the said Josie Lollis having appointed and qualified before the Clerk of Superior Court of Swain County as guardian for such minors; that A. J. Franklin, one of said respondents filed an answer in said proceeding and that Mary Mashburn and others on January 15, 1930, duly filed their answer herein; that thereafter Cling Cope and wife, Walter Cope and wife, Mary Cope, widow of Hamilton Cope, Cling Cope, and wife, Pearley Cope, Dillard Cope and wife, Hattie Cope, Ollie Cope Ashe and husband, Hershel Ashe, Martha Cope Russell and husband, Frank Russell, Zonia Cope and husband, ~~came into court through their attorney, Corsey C. Buchanan, and made themselves parties to said proceedings and filed an answer therein;~~