

DESCRIPTION OF THE BOUNDARY

OF THE

J. R. KIMSEY TRACT (20)

SWAIN COUNTY, NORTH CAROLINA.

Lying on both sides of the west fork of Ocona Lufly River.

Beginning at corner 1, which is corner 3 of the James Bradley Tract (22), a 12" Chestnut with old marks and witnesses, in a line of Grant 133.

Thence, S. 1-46 W.

7.35 Corner 2, a stake at corner of fence.

Thence S. 16-48 W.

6.77 Corner 3, a 14" white oak on north bank of public road, scribed K-Cor 3.

Thence N. 80-15 W.

1.78 Corner 4, a stake at corner of fence, on south bank of road.

Thence, S. 37-03 W.

4.33 Corner 5, a stake on north bank of mill race.

Thence, N. 84-32 W.

2.58 Corner 6, a poplar stump.

Thence, N. 65-44 W.

1.84 Corner 7, a point in the center of river, above head of mill race.

Thence, S. 29-46 W.

5.23 Corner 8, a 20" Spanish Oak on point of a ridge, scribed K-Cor. 7.

Thence, up the ridge, with its meanders.

N. 69-52 W.

1.45 A Point.

S. 76-22 W.

1.70 A Point.

N. 81-00 W.

1.00 A Point.

S. 81-31 W.

2.61 A Point.

N. 85-43 W.

2.77 A Point.

S. 78-05 W.

1.30 A Point.

N. 72-48 W.

2.57 A Point.

S. 67-59 W.

2.44 A Point.

S. ~~83~~-34 W.

2.13 A Point.

S. 84-11 W.

4.45 A Point.

S. 15-38 W.

1.00 A Point.

S. 78-12 W.

3.34 A Point.

S. 88-59 W.

2.97 A Point.

S. 53-06 W.

3.38 A Point.

S. 60-28 W.

2.98 A Point.

S. 75-10 W.

2.35 A Point.

S. 56-26 W.

1.79 A Point.

S. 67-09 W.

1.60 A Point.

S. 78-14 W.

7.64 A Point.

S. 88-53 W.

1.58 Corner 9, a 20" White Oak, on top of Cat Pen Ridge, scribed
K. Cor. 8.

Thence, N. 15-18 E.

21.70 Corner 10, which is corner 3 of the Mrs. J. M. Dowdle Tract
(18), a chestnut post, scribed D-Cor. 3, in mound of stones,
on top of a ridge.

A 10" Chestnut Oak, scribed B.T. D-Cor. 3, bears S. 41-00 W.
.14 chain distant.

A 10" mountain birch, scribed B.T. D-Cor. 3, bears N. 10-00 W.
.10 chain distant.

Thence, with two lines of the Mrs. J. M.
Dowdle Tract (18).

N. 50-16 E.

18.65 Corner 11, a stake in place of old black gum corner.

S. 60-54 E.

5.13 Corner 12, which is corner 6 of the J. R. Carver Tract (19), a point where the center line of river intersects a line of Grant 74.

Thence, down the river, with its meanders

S. 22-47 W.

2.01 A Point.

S. 61-20 E.

3.28 A Point.

N. 67-08 E.

2.95 A Point.

N. 73-26 E.

3.39 A Point.

S. 70-26 E.

3.89 A Point.

N. 44-02 E.

1.13 A Point.

N. 47-05 E.

1.56 Corner 13, a 5" basswood stump, a corner of Grant 74, on bank of river.

An 8" buckeye bears S. 11-15 W. .20 chain distant.

Thence, N. 32-33 E.

1.17 Corner 14, which is corner 13 of the James Bradley Tract (22), a point where the lines of Grants 74, and 133 intersect.

Thence, with three lines of the James Bradley Tract (22).

S. 47-22 E.

- 9.67 Corner 15, a planted stone about .60 chain north of public road.

A spanish oak, blazed and scribed B.T.-G. 133, Cor 1, bears N. 81-00 E. .15 chain distant.

N. 41-31 E.

- 11.94 Corner 16, a 24" Hickory with old marks and witnesses, scribed G. 133, Cor 2.

A 16" Chestnut, blazed and scribed B.T. G.133, Cor. 2. bears S. 75-00 W. .27 chain distant.

S. 66-46 E.

- 7.69 The place of beginning, containing 113.72 acres.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

REPORT ON THE J. R. KIMSEY TRACT NO. 20--113.72 ACRES.

Location: This tract is located above Smokemont and adjoins the lands of the Champion Fibre Company as well as other small property owners.

Description: It is a home tract occupied by the owner. Most of the land is woodland that has been cut over, with about eight acres of cultivated field, half of which is river bottom. The woodlands are steep and have been well cut over. Fire has been kept out and there is a good growth of young timber.

Improvements: The improvements are: A two room frame house in good condition, and a six-stall barn and three out buildings in fairly good condition. There is also an old barn and a box house, which are in poor condition, although occupied by renters. Fifteen acres of cleared land, four of which is bottom, four upland fields and five abandoned fields.

Valuation:

FrameHouse	\$300.00
Barn and out buildings	350.00
Old barn and box house	200.00
Four acres of bottom land	200.00
Four acres of upper fields	60.00
Five acres of old fields	50.00
One Hundred acres of woodland	840.00
	<u>\$2000.00</u>

Option has been taken on this property for \$2000.00.

Analysis of Title

Tract No. 20.

1. Tract No. 20 is embraced by State Grants Nos. 7845, 13635 and 7591. Each Grant will be considered separately.

State Grant No. 7591.

2. State Grant No. 7591 was issued by the State to Thos. Reagan on February 17, 1886. This Grant is of record in Swain County. See page 995 of the Abstract of Title of Tract No. 23.

3. On January 3, 1893, Thomas Reagan and wife conveyed to S. L. Beck a tract of land containing twenty-five acres, said tract being a portion of Grant No. 7591, commencing at the northeastern corner of said Grant and extends along the northern line of said Grant for about two-thirds of the length of said northern line, which we think extends far enough to embrace a portion of Tract No. 20. This deed is of record in Swain County. See page 35 of this Abstract.

4. On September 1, 1892, Thomas Reagan and wife conveyed to S. L. Beck a tract containing thirty acres which is a portion of State Grant No. 7591 and said tract adjoins the twenty-five acre tract mentioned in the preceding paragraph of this analysis, and embraces a portion of Tract No. 20. This deed is of record in Swain County. See page 36 of this Abstract.

State Grant No. 7845.

5. State Grant No. 7845 was issued by the State to S. L. Beck on September 17, 1876 and the larger portion of Tract No. 20 is taken from the northern portion of this grant. This grant is of record in Swain County. See page 993 of the Abstract of Tract No. 23.

6. On November 9, 1894, S. L. Beck and wife conveyed to J. R. Kimsey and N. R. Kimsey a tract of land containing 114½ acres. This deed embraces all of tract No. 20 that is taken from State Grant 7845 and also includes that portion of the two tracts deeded to S. L. Beck from Thomas Reagan that embraces Tract No. 20. This deed is of record in Swain County. See page 37 of this Abstract.

7. We have been informed, reliably, that N. R. Kimsey was the mother of J. R. Kimsey and that soon after purchasing the 114½ acre tract from S. L. Beck, N. R. Kimsey died intestate without conveying her interest in this tract. That said N. R. Kimsey left surviving her the heirs at law set out in the affidavit on page 57 of this Abstract.

8. The following conveyances are from the heirs at law of N. R. Kimsey to J. R. Kimsey, conveying to the said J. R. Kimsey their undivided interest in the 114 $\frac{1}{2}$ acre tract belonging to N. R. Kimsey and J. R. Kimsey.

9. On April 10, 1920, J. M. Kimsey conveyed to J. R. Kimsey an undivided one-seventh interest in all the lands belonging to N. R. Kimsey at her death. In this deed it does not show whether J. M. Kimsey was married at the time of the conveyance. If he was, his wife failed to join in the deed. This deed is of record in Swain County. See page 39 of this Abstract.

10. On March 26, 1920, W.T. Kimsey and wife conveyed to J. R. Kimsey an undivided one-seventh interest in all the lands owned by N. R. Kimsey at her death. This deed is of record in Swain County. See page 40 of this Abstract.

11. On January 1, 1920, Fannie Vick conveyed to J. R. Kimsey an undivided one-seventh interest in all the land owned by N. R. Kimsey at her death. This deed is of record in Swain County. See page 41 of this Abstract.

12. On March 6, 1920, Margaret Childers conveyed to J. R. Kimsey all her interest, or an undivided one-seventh interest in the tract of land owned by N. R. Kimsey and J. R. Kimsey. This deed does not show whether Margaret Childers was a widow. If she was married she is not joined in this deed by her husband. This deed is of record in Swain County. See page 42 of this Abstract.

13. On April 10, 1920, M. L. Sutton and husband conveyed to J. R. Kimsey an undivided one-seventh interest in all the land owned by N. R. Kimsey at her death. This deed is of record in Swain County. See page 44 of this Abstract.

14. On March 6, 1920, Minta Parris and husband conveyed to J. R. Kimsey an undivided one-seventh interest in all the land owned by N. R. Kimsey at her death. This deed is of record in Swain County. See page 45 of this Abstract.

State Grant No. 13633.

15. On July 22, 1898, State Grant 13633 was issued to J. R. Kimsey and contains 21 $\frac{1}{2}$ acres. This grant embraces the northern portion of Tract No. 20. See page 47 of this Abstract.

NORTH CAROLINA)
SWAIN COUNTY ;

A F F I D A V I T

IN RE: Tract No. (20).

J. M. Kimsey being duly sworn deposes
and says that he was well acquainted with N. R. Kimsey during
her life time and that she is now dead and left surviving her,
as her only heirs at law, the following:

J. M. Kimsey
W. T. Kimsey
J. R. Kimsey
Fannie Vick
Margaret Childers
M. L. Sutton
Minta Parrish

J. M. Kimsey
Affiant

Sworn to and subscribed before me this 25 day of Jan
1929.

Will A. Higgins
Notary Public

My Commission expires December 19, 1930.

THIS DEED, Made this

day of

A.D. 192 , by and between

J. R. Kimsey

of Swain

County, North Carolina, hereinafter called GRANTORS, whether one or more, and

THE STATE OF NORTH CAROLINA, hereinafter called GRANTEE:

WITNESSETH:

That the said grantors for certain good and valuable considerations moving them thereto, and particularly the sum of -----TWO THOUSAND-----(\$,000.00) Dollars, to them paid by the Grantee the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do hereby bargain, sell and convey unto the said grantee, its successors and assigns, the following described lands in Ocona Lufly Township Swain County, State of North Carolina, particularly described as follows, viz.:

TRACT NO. 20:

NOTE: All bearings in this description were turned from the true meridian and all distances are expressed in chains of 66 ft. Lying on both sides of the west fork of Ocona Lufly River.

BEGINNING at Comer 1, which is corner 3 of the James Bradley Tract (22), a 12" chestnut with old marks and witnesse, in a line of Grant 133; thence, South 1-46 West 7.35 chains, corner 2, a stake at corner of fence; thence South 16-48 West 6.77 chains, corner 3, a 14" white oak on north bank of public road, scribed K-Cor. 3; thence North 80-15 West 1.78 chains corner 4, a stake at corner of fence, on south bank of road; thence, South 37-03 West 4.33 chains, corner 5, a stake on north bank of mill race; thence North 84-32 West 2.58 chains, corner 6, a poplar stump; thence North 65-44 West 1.84 chains, corner 7, a point in the center of river, above head of mill race; thence South 29-46 West 5.23 chains, corner 8, a 20" spanish oak on point of a ridge, scribed K-Cor. 7; thence up the ridge, with its meanders N. 69-52 West 1.45 chains; South 76-22 West 1.70 chains; North 81-00 West 1.00 chains; South 81-31 West 2.61 chains; North 85-43 West 2.77 chains; South 78-05 West 1.30 chains; North 72-48 West 2.57 chains; South 67-59 West 2.44 chains; South 83-34 West 2.13 chains; South 84-11 West 4.45 chains; South 15-38 West 1.00 chains; South 78-12 West 3.34 chains; South 88-59 West 2.97 chains; South 53-06 West 3.38 chains; South 60-28 West 2.98 chains; South 75-10 West 2.35 chains; South 56-26 West 1.79 chains; South 67-09 West 1.60 chains; South 78-14 West 7.64 chains; South 88-53 West 1.58 chains, corner 9, a 20" white oak, on top of Cat Pen Ridge, scribed K. Cor. 8; thence North 15-18 East 21.70 chains, corner 10 which is corner 3 of the Mrs. J. M. Dowdle Tract (18), a chestnut post, scribed D-Cor. 3, in mound of stones, on top of a ridge, a 10" chestnut oak, scribed B.T.D.-Cor. 3, bears South 41-00 West .14 chain distant, a 10" mountain birch, scribed B.T.D.-Cor. 3, bears North 10-00 West .10 chain distant; thence with two lines of the Mrs. J. M. Dowdle Tract (18) North 50-16 East 18.65 chains, corner 11, a stake in place of old black gum corner South 60-54 East 5.13 chains, corner 12, which is corner 6 of the J. R. Carver tract (19), a point where the center line of river intersects a line of Grant 74; thence down the river, with its meanders South 22-47 West 2.01 chains; South 61-20 East 3.28 chains; North 67-08 East 2.95 chains; North 73-26 East 3.39 chains; South 70-26 East 3.89 chains; North 44-02 East 1.13 chains; North 47-05 East 1.56 chains, corner 13, a 5" basswood stump, a corner of Grant 74, on bank of river; an 8" buckeye bears South 11-15 West .20 chain distant; thence North 32-33 East 1.17 chns corner 14, which is corner 13 of the James Bradley Tract (22), a point where the lines of Grants 74 and 133 intersect; thence with three lines of the James Bradley Tract (22) South 47-22 East 9.67 chains corner 15, a planted stone about .60 chain north of public road, a spanish oak, blazed and scribed B.T.-G. 133, Cor. 1, bears N.81-00 E. .15 chain distant; North 41-31 East 11.94 chains, corner 16, a 24" hickory with old marks and witnesses, scribed G.133, Cor. 2., a 16" chestnut, blazed and scribed B.T.G-133, Cor. 2 bears S. 75-00 W. .27 chain distant; South 66-46 East 7.69 chains, the place of beginning, containing 113.72 acres.

(Over)

Thomas Reagan wife

9-1-92

$\frac{18}{69}$

30 acres

Thomas Reagan wife

1-3-93

$\frac{18}{67}$

25 acres

N.C. # 7845

11-17-86

$\frac{8}{520}$

25 1/2 A.

S. L. Beck & wife

11-9-94

$\frac{16}{187}$

11 1/2 A.

J. R. Kinsey & N. R. Kinsey

N.C. # 13653

$\frac{19}{369}$

12-29-97

2 1/2 A.

J. M. Kinsey

$\frac{48}{344}$

4-10-20

1/2 lot in land N. R. Kinsey

$\frac{47}{349}$

W. J. Kinsey & wife

3-26-20

1/2 lot in land N. R. Kinsey

Jamie Kirk - Husband

1-1-20

1/2 lot in land N. R. Kinsey

$\frac{47}{248}$

Margaret Childers

3-6-20

1/2 lot in land N. R. Kinsey

11 1/2 acres

$\frac{47}{327}$

20

M. L. Sutton & Hues

$\frac{48}{379}$

4-10-20

1/2 lot in land N. R. Kinsey

Minta Barick & Hues

3-6-20

1/2 lot in land N. R. Kinsey

$\frac{47}{304}$

J. R. Kinsey

D. L. Cannon & wife

$\frac{38}{232}$

2-9-11

6 acres

Heirs of N. R. Kinsey
J. M. Kinsey
W. J. Kinsey