

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

We beg to report that we visited the premises of Ella Bradley Shook on October 31, 1929, and find as follows:

6 acres level land	\$150.00
11 $\frac{3}{4}$ acres cut over land	96.00
1 2-room box house	130.00
Wire around chicken lot	12.00
Stable and shed for cow	10.00
Pig pen and wired lot	5.00
	<hr/>
	\$403.00

300.

option
rather
at 400

A. S. Patterson
W. C. Martin

NORTH CAROLINA PARK COMMISSION

ABSTRACT OF TITLE

of

Lands of
ELLA BRADLEY SHOOK

..... Township County.

SWAIN

STATE OF NORTH CAROLINA

DESCRIPTION

TRACT

(27)

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 waters of the West Fork of the Ocona Luffy River.

BEGINNING at Sta. 1, an 8" sycamore scribed R. Cor. 5 on the East bank of West Fork, being a common corner to John C. Reagan Tract (24), and the Wilson and Hall Tract (25).

Thence, S. 27-26 W.

1.20 Logging railroad.

6.98 Corner 2, 8" birch, which is corner 6 of the John C. Reagan Tract (24), thence,

S. 2-43 W.

7.99 Corner 3, an 18" hickory on a spur ridge, a corner of Grant 80, Bradley heirs and John C. Reagan, scribed R. Cor. 5, thence with the meanders of the ridge.

S. 84-02 E.

2.67 A point.

N. 88-27 E.

1.04 A point.

N. 70-15 E.

1.42 A point.

S. 81-58 E.

.95 A point.

N. 84-52 E.

1.72 A point.

N. 67-21 E.

- 1.57 Cor. 4, which is Corner 5 of Champion Fibre Co. Tract (1e).
Thence, S. 58-56 E.
- 3.29 Corner 5, a 20" basswood, on bank of branch, old corner scribed S-2, Cor. 3.
Thence, down the meanders of the branch.
N. 42-40 E.
- 2.06 A point.
N. 35-45 E.
- 2.14 A point.
N. 1-00 W.
- 1.48 A point.
N. 8-40 E.
- 2.03 A point.
N. 25-58 E.
- .99 A point.
N. 81-10 E.
- .96 A point.
N. 64-00 E.
- 1.24 A point.
N. 71-00 E.
- 1.57 A point.
N. 42-24 E.
- 1.52 A point.
N. 33-37 E.
- 1.29 Corner 6, a hut on south side of river at mouth of branch, thence, up the West Fork with its meanders.
S. 84-20 W.
- 5.59 A point.
S. 55-40 W.
- 1.43 A point.
N. 66-23 W.

11.43 To the place of BEGINNING, containing 17.72 acres.

Analysis of Title

Tract No. 27.

Ella Bradley Shook--17.72 Acres.

1. Tract No. 27 is covered entirely by Grant No. 417 to Isaac Bradley, except a small triangle lying South of the line of Grant 417 and West of Grant 18396 as shown on the plat.

2. The title under Grant 417 is identical with the title under that grant and is set out in the Abstract of Tract No. 25 beginning on page _____.

3. As shown by said Abstract the title under this grant became vested in Jasper Bradley who died leaving a last will and testament in which he devised to his daughter Ella Bradley Shook the following: "all the lands adjoining the land the land devised to my daughter Mary on the opposite side of the creek from the home place, said lands being above the branch referred to in paragraph 3 of this will, containing about fifteen acres". This will also appoints J. P. Randolph, Executor, with full power and authority to sell, invest, manage and control all of said property without application to the court or confirmation thereof by any court. This will was probated and J. P. Randolph qualified as Executor and thereafter made specific surveys of the lands devised by said will and executed a deed to said Ella Bradley Shook dated November 14, 1924 in which he conveys to her by specific metes and bounds a tract of land covering Tract No. 27. This deed is set out on page _____ of Abstract of title to Tract No. 25.

ABSTRACT OF DEED OR GRANT

Grantees

In Preamble

As Signed

As Acknowledged

Thomas Bradley

Thomas Bradley

Thomas Bradley

Mary Bradley

- | | |
|--|---|
| <p>1. Kind of Conveyance..... <u>Deed</u></p> <p>3. Is it properly executed..... <u>yes</u></p> <p>5. Before what Officer acknowledged..... <u>J. P.</u></p> <p>7. If irregular, copy in full on back.....</p> <p>9. Date of acknowledgment..... <u>5-31-90</u></p> <p>11. Did officer affix Seal.....</p> <p>13. Does conveyance contain covenants—</p> <p> (a) of seizin.....</p> <p> (b) power to convey.....</p> <p> (c) against encumbrances.....</p> <p> (d) against claims of all others.....</p> <p>17. Habendum clause (Quote fully) <u>TO HAVE AND TO HOLD from me, my heirs and assigns so long as she may love and take care me, and provide for the said Thomas Bradley during his natural life time.</u></p> | <p>2. Date of Conveyance..... <u>5-31-90</u></p> <p>4. Date of Entry and No.....</p> <p>6. Acknowledgments, regular..... <u>yes</u></p> <p>8. Did all grantors acknowledge..... <u>yes</u></p> <p>10. Was privity examination of wife taken..... <u>no</u></p> <p>12. Was order or probate correct..... <u>yes</u></p> <p>14. Date of filing for record..... <u>6-15-90</u></p> <p>15. Book..... <u>2</u> Page..... <u>29</u></p> <p> for..... <u>Swain</u>..... County.</p> <p>16. Does deed contain any special limitations, provisions or restrictions.....</p> |
|--|---|

Exact Description of Property

"BEGINNING on a birch corner on West side of river, just below the forks of said river,

North 60 West 70 poles to a lynn tree on the branch;

then with said branch North 41 East 16 poles;

North 10 East 30 poles to a stake on the West side of the main branch; then Westwardly to a birch between me and John C. Reagan; then with that line to the river; then down the river with its meanders to the BEGINNING, containing 30 acres.

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 27.

IT IS HEREBY CERTIFIED: That the title to the within described land as disclosed in the attached abstract which contains a full, complete and correct abstract of all instruments and court proceedings of record affecting the same from and including the beginning entry there of has been carefully examined and noted, and that the following name of owner.....:

Elia Bradley Shock

is seized in fee simple of a good and valid title to the same, subject only to any lien, charge or encumbrance shown in this abstract and listed hereon.

ENCUMBRANCES

1. Subject to taxes.

2. Subject to a discrepancy in the description contained in deeds from Mary S. Bradley to Jasper Bradley, Ira J. Hughes and wife to Jasper Bradley, Silas Bradley to Jasper Bradley, J. B. Whaley and wife to Jasper Bradley, Avery Bradley, A. E. Bradley to Jasper Bradley, Berton Trantham and wife, Mariah, to Jasper Bradley. These deeds are set out on pages _____ to _____ of the Abstract of title to tract No. 25. They are intended to convey all of the Jasper Bradley lands lying on the West side of Collins Fork of Ocoma Luffy including tracts 27, 28 and 30. However, there seem to be two calls in the deed which should not have been included therein. After running from the two lynns mentioned in these deeds North 60 West 70 poles to a lynn tree on the branch we have then two calls as follows: "then with said branch North 41 East 16 poles to a stake; North 10 East 30 poles to a stake on the West side of the main branch". This would bring the line down the branch to the main fork of the creek. Whereas the intention was evidently to run with the line of Grant 417; then to the birch corner of John C. Reagan and with that line to the river. If the deed is run including the two calls above referred to, the effect would be to run down the branch to the river and then to John C. Reagan's birch corner, which would not cover all of Tract No. 27.

3. Subject to the outstanding interest, being 2/21sts in the heirs at law of John Bradley, this interest being identical with that referred to in Abstract of Title to Tracts 25 and 26.

4. As shown by the plat Tract No. 27 also includes a small triangle lying South of the line of Grant 417. This small area of land was conveyed to Jasper Bradley by John C. Reagan by two deeds which are set out in the Abstract of title to Jasper Bradley lands including Tract No. 25. We find, however, no conveyances or evidences of title in John C. Reagan to support this deed and as far as we are able to tell from the records the title, therefore is defective.

ABSTRACT OF DEED OR GRANT

Grantors
Grantees

In Preamble	As Signed	As Acknowledged
Jasper Bradley	Jasper Bradley	Jasper Bradley
Three M. Lumber C.		

1. Kind of Conveyance..... **Lease**
3. Is it properly executed..... **yes**
5. Before what Officer acknowledged.....
7. If irregular, copy in full on back.....
9. Date of acknowledgment.....
11. Did officer affix Seal.....
13. Does conveyance contain covenants—
 - (a) of seizin
 - (b) power to convey.....
 - (c) against encumbrances.....
 - (d) against claims of all others.....
17. Habendum clause (Quote fully).....
2. Date of Conveyance..... **12-23-03**
4. Date of Entry and No.....
6. Acknowledgments, regular
8. Did all grantors acknowledge.....
10. Was privity examination of wife taken.....
12. Was order of probate correct.....
14. Date of filing for record.....
15. Book **25** Page **146** Count
16. Does deed contain any special limitations, provisions or restrictions

Exact Description of Property

Lease on 10 acres of land on S. W. side
of Main Prong of Ocona Luffy for five
yea renewable yearly at option of
grantee.

THIS AGREEMENT, made this

day of

Feb

A.D. 192 30

by and between

D. I. Shook and wife ~~Laura~~ ^{Elle} B. Shook

of Swain

County, North Carolina, hereinafter called the VENDOR, whether one or more, and THE STATE OF NORTH CAROLINA, hereinafter called the VENDEE:

WITNESETH:

That whereas Vendor is the owner of certain lands within the area designated by the Secretary of the Interior of the United States of America for a national park to be known as the Great Smoky Mountains National Park, under the provisions of the Act of Congress, 44 Statutes at Large 616, which lands are also embraced within the boundary mentioned in Chapter 48 of the Public Laws of North Carolina, Session of 1927:

And whereas the Vendee is desirous of acquiring title to said premises for inclusion in said Great Smoky Mountain National Park;

NOW, THEREFORE, the Vendor for and in consideration of the sum of ONE DOLLAR to him in hand paid, receipt of which is hereby acknowledged, and other valuable considerations moving him thereto, agrees to sell and convey in fee simple to the Vendee at the option and upon the demand of said Vendee, its successors and assigns, at any time within ³ months from the date of these presents, all those certain lands situate in Ocona Luffy Township, County and State aforesaid, containing

acres, more or less, adjoining the lands of and others, bounded and described as follows:

T R A C T N O . 2 7 .

Lying on the waters of the west fork of the Ocona Luffy River, BEGINNING at Sta. 1, an 8" sycamore scribed R.Cor. 5 on the East bank of West Fork, being a common corner to John C. Reagan Tract (24), and the Wilson and Hall Tract (25); thence S. 27-26 West 6.98 chains, Corner 2; thence, 2.43 W. 7.99 chains, Corner 3; South 84-02 East 2.67 chains; North 88-27 East 1.04 chains; North 70-15 East 1.42 chains; South 81-58 East .95 chains; North 84-52 East 1.72 chains; North 67-21 East 1.57 chains, Corner 4; thence, South 58-56 East 3.29 chains, Corner 5; thence, down the meanders of the branch North 42-40 East 2.06 chains; North 35-45 East 2.14 chains; North 1-00 West 1.84 chains; North 8-40 East 2.03 chains; North 25-58 East .99 chains; North 81-10 East .96 chains; North 64-00 East 1.24 chains; North 71-00 East 1.57 chains; North 42-24 East 1.52 chains; North 33-37 East 1.29 chains, Corner 6; South 84-20 West 5.59 chains; South 55-40 West 1.43 chains; North 66-23 West 11.43 chains, to the place of beginning, containing 17.72 acres.

Tract No. (30)

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 West Fork of the Ocona Lufty River, BEGINNING at corner 1 which is corner 3 of the Mary Bradley Wilson Tract (28), and corner 4 of the N. and L. Wilson Tract (29), A 22" hemlock on the S. W. side of the river, scribed S-2, Cor. 3, running thence with lines of the Mary Bradley Wilson Tract (28); S. 34-05 W. 2.74 chains corner 2, a 15" birch with corner marks scribed S-2 Cor. 2; S. 28-15 E. 7.10 chains Corner 3, a sourwood stake with laurel witnesses, which is corner 3 of the Champion Fibre Co. Tract (1-d); thence with a line of the Champion Fibre Co. Tract N. 48-04 E. 5.40 corner 4, a point on South bank of river, a common corner to Club House Tract and Champion Fibre Co. Tract (1-d) with the M. and L. Wilson Tract up the meanders of the river N. 80-04 W. 1.21 chains; N. 44-05 W. 6.69 chains to the BEGINNING, containing 2.66 acres.

It is understood and agreed by the parties of the first part that the price to be paid for the two tracts of land above described, shall be;

Tract No. 27 \$ 400.00

Tract No. 30 \$ 1000.00

Making a total 1400.00

as set out below:

Option

I. E. Shook and wife
TO
THE STATE OF NORTH CAROLINA

Consideration - - - \$

Dated..... day of....., 192

Filed for registration on the 9th
day of Feb., 1920, at 9:00
o'clock A.M., and registered in the office
of the Register of Deeds for

Swain
County, North Carolina, on the 11th
day of Feb., 1920, in Book
No. 38 of Deeds, at page 169

Ellis B. Burnett
Register of Deeds.

FEEs.

STATE OF NORTH CAROLINA
The foregoing certificate
of Swain County, is
adjudged to be correct. Let the instrument and the certificate be registered.
This 10 day of Feb.,
A.D. 1920.

W. A. Swain, Clerk Superior

February 5, 1930

REPORT ON THE ELLA BRADLEY SHOOK TRACT - NO. 27, 17.72 ACRES.

LOCATION: This tract is located on the Ocona Lufly River,
just above Smokemont.

DESCRIPTION: Small home tract occupied by the owner, 3 acres
cleared, balance cut over wood land.

IMPROVEMENTS: A small 2-room box house in not very good repair,
and some fencing.

VALUATION:

House	\$100.00
3 acres flat land	150.00
15 acres wood land	150.00
Total	<u>\$400.00</u>

An option has been taken on this property for \$400.00

Tom Dadds

S. F. Chapman

W. H. Moody

APPRAISERS.

APPROVED BY THE EXECUTIVE COMMITTEE