

DESCRIPTION OF THE BOUNDARY

OF THE

MARY BRADLEY WILSON TRACT

(28)

Lying on the S. W. side of the West Fork of Ocona Luffy River.

Beginning at Corner 1, which is Corner 6 of the Ella Bradley Shook Tract (27), a point on the South side of the River, at the mouth of a Branch.

Thence, down the river, with its meanders.

S. 88-45 E.

6.68 A Point.

N. 71-56 E.

.56 Corner 2, a 10" maple with corner marks, on East bank of River.

Thence, continuing with the river.

S. 28-20 E.

3.35 Corner 3, a 22" hemlock on S.W. side of river, Corner 1 of the Infant Shook Tract, scribed S.2, Cor 111.

Thence, with two lines of the Infant Shook Tract.

S. 34-05 W.

2.74 Corner 4, a 15" birch with corner marks, scribed S. 2-Cor 11.

S. 28-15 E.

7.10 Corner 5, a sourwood stake, with laurel witnesses.

Thence, S. 49-45 E.

4.37 Corner 6, a Chestnut stake in old Bradley line, scribed W-3.

A 14" Chestnut, scribed B.T.-W 3, bears S. 73-00 W. .15 chain distant.

Thence, S. 50-08 W.

10.44 Corner 7, a 22" basswood, with old marks, scribed W. Cor.11.

Thence, N. 56-02 W.

12.56 Corner 8, a White Oak on a ridge.

Thence, N. 59-16 W.

4.44 Corner 9, a 20" basswood beside branch, scribed S.2, Cor.111.

Thence, down the branch, with its meanders.

N. 42-40 E.

2.06 A Point.

N. 35-45 E.

2.14 A Point.

N. 1-00 W.

1.84 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 The place of beginning, containing 26.90 Acres.

Analysis of Title

Tract No. 28.

Mary Bradley Wilson--26.90 Acres.

1. Tract No. 28 is entirely covered by Grant 417 issued to Isaac Bradley. It is possible that the extreme South-east corner of this may extend over the line of Grant 1399, which was issued to John Fergus.

2. The title under Grants 417 and 1399 are fully set out in the Abstract of Title of the Jasper Bradley lands under the title to Tract No. 25 beginning on page \_\_\_\_\_ and as shown by the deeds and conveyances therein referred to, the title became vested in Jasper Bradley.

3. Jasper Bradley died leaving a will in which he devised to his daughter, Mary Bradley Wilson, "the house and plot of ground where she now lives directly opposite from the Bradley Home Place, said plot of land being all that I own between Smoke-mont and the branch, containing about fifteen acres and known as the Wilson home place". In this will J. P. Randolph was appointed executor with the power to sell, invest, manage, control and deal with all of said property without application to any court or without confirmation thereof. This will is set out on page \_\_\_\_\_ of Abstract of Title to Tract No. 25.

4. J.P. Randolph, Executor, had surveys made of the lands devised by the will of said Jasper Bradley and made deeds to each of the devisees therein named for the portions intended to be taken under said will.

5. On November 14, 1924, he executed a deed to Mary Bradley Wilson reciting the authority of said will in which he conveyed to her by specific metes and bounds a tract of land containing fifteen acres and covering tracts 28 and 30. This deed is set out on page \_\_\_\_\_ of the Abstract of Title to Jasper Bradley lands under Tract No. 25.

P R I O R   C O N V E Y A N C E S

6. Prior to his death Jasper Bradley executed a deed to the Champion Fibre Company conveying a right of way thirty feet in width over his lands including what is now embraced in Tract No. 28. This deed is recorded in Swain County and is set out in Abstract of Tract No. 26.

7. On January 1, 1917, said Jasper Bradley and wife, R. P. Bradley executed a lease to S. T. Graves and W. C. Mendenhall, which covers all of tracts 29 and 30 and part of Tract No. 28. Under the terms of this agreement a portion of the Jasper Bradley lands including a portion of Tract No. 28 was devised to Graves and Mendenhall for a period of ten years with an agreement for an additional ten years. This lease is registered in Swain County and is set out on page 899 of this Abstract.

8. By an agreement or deed executed by S. T. Graves registered in Book 46, page 192 of the records of deeds of Swain County he assigned to said W. C. Mendenhall all of his right and title under the lease from Jasper Bradley and wife dated January 1, 1917. This assignment of lease is recorded in Swain County. Page 901 of this Abstract.

9. Subsequently W. C. Mendenhall and wife executed a deed to the Champion Fibre Company dated January 14, 1914 in which they conveyed all of the right title and interest of said Mendenhall in a tract of land on Ocona Luffy River and being the same described in the lease from Jasper Bradley to S. T. Graves and W. C. Mendenhall dated January 1, 1917. See page 902 of this Abstract.

# ABSTRACT OF DEED OR GRANT

Grantees

In Preamble	As Signed	As Acknowledged
Jasper Bradley and wife R. P. Bradley	Jasper Bradley R. C. Bradley S. T. Graves W. C. Mendenhall	Will Mendenhall
S. T. Graves W. C. Mendenhall		

1. Kind of Conveyance..... Lease
2. Date of Conveyance..... Jan. 1, 1917
3. Is it properly executed.....
4. Date of Entry and No.....
5. Before what Officer acknowledged..... R. D.
6. Acknowledgments, regular.....
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge.....
9. Date of acknowledgment..... Dec. 1916
10. Was privity examination of wife taken.....
11. Did officer affix Seal.....
12. Was order or probate correct.....
13. Does conveyance contain covenants—
14. Date of filing for record..... Dec. 19, 1916
- (a) of seizin.....
15. Book..... 44..... Page..... 66
- (b) power to convey.....
- (c) against encumbrances.....
- (d) against claims of all others.....
16. Does deed contain any special limitations, provisions or restrictions.....
17. Habendum clause (Quote fully).....

Exact Description of Property

**W I T N E S S E T H:**

THAT the said party of the first part in consideration of the agreement and covenant hereinafter mentioned to be fulfilled by the said party of the second part, doth hereby demise and lease to the said parties of the second part and their heirs and assigns, for a period of ten years with the refusal of ten years more from the expiration of the first ten yeras, to commence from the date of this agreement, the price to be paid, is \$25.00 Dollars per year in advance for the first ten years and \$50.00 Dollars per year for the second ten years; the following property is in Ocona <sup>Lat</sup> Township, and on the waters of Ocona Luffy River,

Swain County, North Carolina.

BEGINNING on a maple on the East bank of Ocona Luffy River Bradley Prong of said river runs the a strate line to the foot of the little round hill in side the field about 600 feet to a stake crossing the Bradley Prong of the river; then a Southeast direction to the Champion Fibre Company's Southwest course the stake in the head of a hollow; then with their line to a rock on the bank of the river; then down the meanders of the river on the West bank to the fork of the river; then up the Reagan Prong with the center of the river to a rock in the center of the Reagan Prong of the river; then a straight line to the maple the BEGINNING, corner just outside of road where W. C. Mendenhall now lives the said Jasper Bradley is to pay all taxes on the with in property for the first ten years; then is there is a raise on said property in the taxes for the second ten years it is agreed by both parties that the said Graves and Mendenhall shall pay the raise, it is further agre d by the said Jasper Bradley that the said Graves and Mendenhall shall have all timber on the with in tract of land that they may need for improvements also on the with in tract the old Graves of land it is further agreed by Jasper Bradley that the said Graves and Mendenhall shall have the right to use lbr pipe the water from either spring they may desire to any part on the with in property the spring on the West side of Bradley Prong of the river, itsis further agreed that thesaid Bradley shall have the right to build one or two houses on the upper corner of the with in tract of land it being the Southwest corner on the West side of the Bradley Prong of the river and not to exceed over 50 feet of ground and to be so located that the said house will not intrfere with the lease made to the said Graves and Mendenhall the lessor agrees that the lease shall infay said premises during said terms free from the adverse claims of any person whatsoever.

# ABSTRACT OF DEED OR GRANT

Grantees

In Preamble	As Signed	As Acknowledged
S. T. GRAVES	S. T. GRAVES	S. T. GRAVES
W. C. MENDENHALL		

1. Kind of Conveyance **Assignment of Lease**
2. Date of Conveyance.....
3. Is it properly executed.....
4. Date of Entry and No.....
5. Before what Officer acknowledged.....
6. Acknowledgments, regular.....
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge.....
9. Date of acknowledgment.....
10. Was privy examination of wife taken.....
11. Did officer affix Seal.....
12. Was order or probate correct.....
13. Does conveyance contain covenants—
  - (a) of seizin.....
  - (b) power to convey.....
  - (c) against encumbrances.....
  - (d) against claims of all others.....
14. Date of filing for record.....
15. Book **46** Page **192**  
for **Swain** County.
16. Does deed contain any special limitations, provisions or restrictions.....
17. Habendum clause (Quote fully).....

## Exact Description of Property

**Assignment by S. T. Graves to W. C. Mendenhall  
for all his interest in a lease made by Jasper Bradley and  
wife, to S. T. Graves on the first day of January, 1917.**



# ABSTRACT OF DEED OR GRANT

Grantees

In Preamble	As Signed	As Acknowledged
W. C. Mendenhall and wife Orpha Mendenhall	W. C. Mendenhall Orpha Mendenhall	W. C. Mendenhall Orpha Mendenhall
Champion Fibre Company		

1. Kind of Conveyance..... Deed
3. Is it properly executed..... Yes
5. Before what Officer acknowledged..... J.P.
7. If irregular, copy in full on back.....
9. Date of acknowledgment..... 1-17-19
11. Did officer affix Seal..... Yes
13. Does conveyance contain covenants—
  - (a) of seizin..... Yes
  - (b) power to convey..... Yes
  - (c) against encumbrances..... Yes
  - (d) against claims of all others..... Yes
2. Date of Conveyance..... 1-14-19
4. Date of Entry and No.....
6. Acknowledgments, regular..... Yes
8. Did all grantors acknowledge..... Yes
10. Was privy examination of wife taken..... Yes
12. Was order or probate correct.....
14. Date of filing for record..... 1-20-19
15. Book..... 40..... Page..... 106  
for..... Swain..... County.
16. Does deed contain any special limitations, provision or restrictions.....
17. Habendum clause (Quote fully)..... To have and to hold the above described tract of land with all privileges and appurtenances, subject to the terms and conditions contained in the Bradley lease, unto the Champion Fibre Company, its successors and assigns.

## Exact Description of Property

Conveys: All the right, title and interest in a certain tract of land on Oconee Luffy River, the description being the same as in the lease from Jasper Bradley to S. T. Graves and W.C. Mendenhall, dated January 1, 1917 and registered in Book 44, at page 66 of the Records of Deeds of Swain County.

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 28

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 named owner.....:

Mary Bradley Wilson

.....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 the outstanding interest being 2/31sts of the heirs at law of John Bradley. This interest is the same as that discussed and set out in the Abstract of title to Jasper Bradley lands and the opinions upon tracts 25, 26 and 27.
3. Subject to lease made by Jasper Bradley and wife, R. P. Bradley to S. T. Graves and W. C. Mendenhall dated January 1, 1917, and assigned and conveyed by said Graves and Mendenhall to Champion Fibre Company. See deed of W. C. Mendenhall and wife to Champion Fibre Company dated January 1, 1919, registered in Book 46 at page 193.

REPORT ON THE MARY BRADLEY WILSON-TRACT NO. 28--26.90 ACRES.

Location: This tract is located near Smokemont and adjoins the lands of other small property owners. It lies on the Ocona Luffy River.

Description: Small mountain farm occupied by the owner, having six acres of flat land under cultivation, two acres in pasture, which is flat land and the balance steep cut over woodland.

Improvements: Three room box house, two small portable houses all of which are in fairly good condition, six acres of flat land under a good state of cultivation. Two acres of flat pasture on which are situated a few nice fruit trees.

Valuation:

3 - room box house	\$150.00
2 - Portable box houses	50.00
8 - Acres flat land	400.00
19 acres woodland	200.00
	<u>\$800.00</u>

The option price is \$800.00.

S. F. Chapman

Tom Chasen

W. H. M. M. M. M.  
Appraisers

THIS AGREEMENT, made this                      day of                      July                      A.D. 192 9,  
by and between

Mary Bradley Wilson and husband, Lonnie Wilson

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                      three                      months from the date of these presents, all those certain lands situate in                      Ocona Lufly                      Township,                      Swain                      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 8 .

Lying on the S.W. side of the West Fork of Ocona Lufly River.

BEGINNING at Corner 1; thence, down the river, with its meanders South 88-45 East 6.68 chains; North 71-56 East .56 chains Corner 2; thence, continuing with the river South 28-20 East 3.35 chains, corner 3; thence, with two lines of the Infant Shook Tract South 34-05 West 2.74 chains, corner 4 South 28-15 East 7.10 chains corner 5; thence, South 49-45 East 4.37 chains, corner 6; thence South 50-08 West 10.44 chains, corner 7; thence, North 56-02 West 12.56 chains, Corner 8; thence, North 59-16 West 4.44 chains, corner 9; thence, down the branch, with its meanders 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, the place of beginning, containing 26.90 acres.

# Option

Mary Bradley Wilson and  
husband, Lonnie Wilson.  
TO

THE STATE OF NORTH CAROLINA

Consideration - - - \$ 800<sup>00</sup>

Dated 4<sup>th</sup> day of Sept., 1929

Filed for registration on the 4  
day of Sept., 1929, at 11:00  
o'clock A.M., and registered in the office  
of the Register of Deeds for

Suain

County, North Carolina, on the 6

day of Sept., 1929, in Book

No. 38 of Deeds, at page 189

Ellis Burnett

Register of Deeds.

FEEES.

STATE OF NORTH CAROLINA  
The foregoing certificate of  
of Suain County, adjudged to be correct. Let the instrument and the certificate  
be registered.  
This 4 day of Sept. A.D. 1929

W. A. Buerling

Clerk Superior

Suain County  
George W. Beck A. N. P.

SEPTEMBER 12, 1929.

REPORT ON THE MARY BRADLEY WILSON TRACT - NO. 28, 26.90 ACRES

LOCATION:

This tract is located near Smokemont, and adjoins the lands of other small property owners.

DESCRIPTION:

A small home tract, occupied by the owner. About 8 acres flat land, under cultivation, the balance being cut-over woodland.

IMPROVEMENTS:

The improvements are: A good 3-room box house; 2 sheds; about 25 apple trees; and 8 acres flat land under cultivation.

VALUATION:

3-room box house	\$250.00
2 box shacks	50.00
8 acres flat land	300.00
20 acres woodland	200.00
TOTAL	<u>\$800.00</u>

The option price is \$800.00.

Tom Ruess

S. F. Chapman

J. H. Bradley

APPRAISERS.