

Location: This tract is situation on the Ocona Lufly River at Smokemont on the East side of the river and adjoins the land of other small property owners as well as the Queen tract which is under lease by the Champion Fibre Company.

Description: It is a home farm tract occupied by the owner. Along the creek and river there are eight acres of good bottom land. The majority of the land is cut over woodland but has a good stand of young and growing timber which has been kept free from fire.

Improvements: A fairly good four room house, smoke house, chicken house and ten stall barn, all in fairly good repair. There are several apple trees, well cared for as well as other fruit trees on the place.

Valuation:

Four room house	\$300.00
Ten stall barn	400.00
Smoke house and chicken house	50.00
Eight acres of river bottom	800.00
Two acres of bench land	80.00
Eighty-seven acres of woodland	870.00
	<u>\$2500.00</u>

The option price being \$2500.00, your approval is asked.

Appraisers

APPROVED BY THE EXECUTIVE COMMITTEE
NORTH CAROLINA PARK COMMISSION

Purchased 9/10/29.

ABSTRACT OF TITLE

of

L. A. W. MANEY

Lands of
 OCONA LIFTY Township SWAIN County.

STATE OF NORTH CAROLINA

DESCRIPTION

TRACT

(33)

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 East side of Ocona Lifty River, just below Smokefont.

Beginning at Corner 1, a sycamore on the East bank of the river, shown as the Corner by L. A. W. Maney.

A 12" sycamore, blazed and scribed B.T.-M 1, bears N. 20-00 W. .20 chain distant.

Thence, N. 46-49 E.

2.90 Corner 2, a point at intersection with the public road, the South corner of the Walter Watson Tract.

Thence, with the old road location.

N. 46-54 W.

2.63 Corner 3, a point in public road.

N. 20-50 W.

2.16 Corner 4, stake on bank of public road.

N. 9-40 W.

4.38 Corner 5, an 8" white oak on bank of small stream and just above road.

Thence, up the stream with its meanders.

N. 19-30 E.

2.82 A Point.

N. 44-30 E.

1.68 A Point.

N. 66-10 E.

2.50 Corner 6, a marked Ash on the bank of branch, a corner common to the Rufus Beck and Murphy Conner Tracts.

Thence, N. 14-30 W.

3.78 Corner 7, a marked sourwood, on top of a ridge, a corner of the Rufus Beck Tract.

Thence, up the ridge, with its meanders.

Thence, N. 66-51 E.

4.47 A Point.

N. 74-27 E.

3.40 A Point.

N. 71-02 E.

3.55 A Point.

N. 60-48 E.

2.66 A Point.

N. 57-29 E.

1.68 A Point.

N. 78-47 E.

2.44 A Point.

N. 63-15 E.

1.89 A Point.

N. 86-05 E.

2.38 Corner 8, a small red oak, with corner marks, on top of the ridge, and in the old Money line,

Thence, N. 37-02 E.

15.93 Corner 9, a point on very old marked line, the Indian Boundary.

Set a sassafras post scribed I.B. on N. E. side, and M.
on S. W. side.

A 40" White Oak, blazed and scribed B.T.-I. B. bears
N. 54-00 E. .17 chain distant.

A 26" chestnut, blazed and scribed B.T.M. bears S. 77-00 W.
.08 chain distant.

Thence, N. 40-10 W.

With the Indian Boundary Line.

21.21 Corner 10, which is corner 16 of the W. E. Queen Tract (11),
a planted stone, in the Indian Boundary Line.

A 6" Chestnut Oak blazed and scribed B.T.-Q 3, bears East
.30 chain distant.

Thence, with two lines of the W. E. Queen
Tract (11).

S. 40-47 W.

28.91 Corner 11, a planted stone at intersection of marked lines.
near top of spur ridge.

A 12" White Oak, blazed and scribed B.T.-Q 2, bears
N. 50-00 W. .35 chain distant.

N. 85-25 W.

13.17 Corner 12, a point at the center of Ocena Luffy River,
.20 chain above center of bridge, being corner 12, of the
Champion Fibre Company Tract (1-d).

Thence, down the river with its meanders.

S. 6-45 E.

1.20 A Point.

S. 11-44 E.

4.98 A Point.

S. 39-33 E.

1.60 A Point.

S. 0-55 E.

7.13

A Point.

S. 7-50 E.

10.21

A Point.

S. 44-51 E.

13.76

The place of beginning, containing 97.57 acres.

Analysis of Title

Tract No. 33.

Tract No. 33 is covered by grant No. 1399 to John Fergus and No. 224 to William Cathcart.

1. The western portion of Tract No. 33 is covered by grant No. 1399 to John Fergus, page 152 of Abstract of Tract No. 11.
2. There is no conveyance of record so far as we are able to find from John Fergus to John Tomlinson for said grant.
3. On February 25, 1807, John Tomlinson conveyed to Jesse Cornwell the lands embraced in grant No. 1399, aforesaid. This deed is registered in Haywood County, page 152 of Abstract of Tract No. 11.
4. On December 30, 1808, Jesse Cornwell conveyed the southern half of grant No. 1399 to John Beck, by deed duly executed and registered in Haywood County. This deed covers the western part of Tract No. 11, Page 209 of Abstract.
5. On October 14, 1859, John Beck, Sr. conveyed the same lands to Henry J. Beck, by deed duly executed and registered. The third call in this deed, viz: "S. 127 poles to a stake" seems to be omitted. However, the grantor describes the tract as the land which he purchased of Jesse Cornwell. We think that this reference will cure the omission of the third call in the description. The grantor also excepts two acres for the use of the school and church. The deed contains the provision that in the event same shall cease to be used for school and church purposes, it shall revert to the grantor. This exception, however, is located on the west side of Ocona Luffy River and does not effect the title of the tract under discussion. Page 210 of Abstract.
6. The remaining portion of the L. A. W. Maney tract No. 33 is covered by state grant No. 224 to William Cathcart and by same conveyances, the title passes to W. H. Thomas. See pages 169 to 182 inclusive of Abstract of Tract No. 11.
7. On August 3, 1897, J. R. Thomas as Administrator of W. H. Thomas conveyed to H. J. Beck two tracts of land, namely: 125 acre tract, lying on west side of Ocona Luffy River and 185 acres lying on east side thereof. The latter tract covers all that portion of Tract No. 11, not covered by grant No. 1399. This deed is properly executed and is registered in Swain County. The proceedings authorizing this deed have not yet been found. When found same will be inserted in this Abstract at the proper place.

8. On January 4, 1899, H. J. or Henry J. Beck executed his last Will and Testament, which was duly probated in Swain County, on July 26, 1900. Henry J. Beck was married three times and by the terms of his Will he gave to the children of his first wife, Jane Beck, all the land from the Big (Beck) Branch down, except J.R. Beck and he willed him the place he was then living upon. To the children of the second marriage he devised all his land on the west side of the Oconee Luffy River. To his third wife, Harriett Beck and her children, viz: Thomas Beck, George W. Beck, Walter Beck and Sally Maney, he devised all his lands from the Big (Beck) Branch up. This latter devise includes tract No. 11. Pages of Abstract. See affidavits on page 215^a for the names of the heirs of Harriett Beck and H. J. Beck.

9. The title by the aforesaid Will to Tract No. 11 is now vested in Thomas Beck, George W. Beck, Walter Beck and Sally Maney, wife of L.A. W. Maney.

10. On September 23, 1907, Thomas Beck and wife Addie conveyed to Andrew Huxley, Thomas Beck's undivided one fourth interest in all the lands willed by H. J. Beck to the heirs of Harriett Beck. This deed is duly executed and registered in Swain County. Page 216 of Abstract.

11. On August 31, 1912, George W. Beck with the joinder of his wife, Cordie and A. H. Huxley and wife Rachel, conveyed to L. A. W. Maney and Sally Maney, a tract of land containing 125 acres, which tract of land embraces the whole of tract No. 11. This deed is duly executed and registered in Swain County. Page 217 of Abstract.

12. The remaining undivided one fourth interest in said Tract No. 11 was conveyed by D. Walter Beck to H. K. Beck by deed dated April 7, 1908 and duly executed and recorded in Swain Co. By this deed D.W. Beck conveys to H. K. Beck all his undivided interest in all the lands devised by H. J. Beck to the heirs at law of Harriett E. Beck. Page 218 of Abstract.

13. On February 7, 1910, R. J. Roane, Sheriff under and by virtue of an execution issuing from the Superior Court of Swain County to him directed in the cause entitled "Daniel Briscoe & Bros. Company vs. H. K. Beck" sold all the interests of H. K. Beck in the lands willed by H. J. Beck to the heirs of Harriett Beck at public sale at the court house door of Swain County to the highest bidder for cash, at which time and place L. A. W. Maney became the last and highest bidder for said lands at the sum of \$100.32. The said R. J. Roane, Sheriff, pursuant to the said execution and sale, conveyed said lands or interests therein to L. A.W. Maney, by deed duly executed and registered in Swain County. Page 221 of Abstract.

14. On January 31, 1882, H. J. Beck and L. E. Queen conveyed by joint deed to the School Committee of District No. 16 and the Deacons of the Baptist Church, two small lots or parcels of land, the first parcel being located on H. J. Beck's land and the second parcel being located on Queen's land. After the execution of the said deed, Lee Queen sold his lands which embraced this lot to W. E. Queen and W. E. Queen later executed another deed to the Deacons of the Luffy Baptist Church, which bears date of Feb. 26, 1906 and is shown on page 197 hereof. Queen states that the lot formerly deeded to the Church was to be re-conveyed to him or that it reverted to him under the terms of his deed. The other lot described in this deed so far as the records disclose has never been re-conveyed to H. J. Beck or his assigns.

15. On May 28, 1921, Lee Maney and wife Sally Maney conveyed to the County Board of Commissioners of Swain County a lot containing one acre, more or less for school purposes. This deed is duly executed and recorded in Swain County and should be taken from the Lee Maney's tract No. 33. Page 223-b of Abstract.

16. John Beck was evidently not satisfied with his title to that portion of tract No. 33 covered by grant No. 1399 to John Fergus, and on July 8 1828, he obtained a deed from John Brown, Agt. of the Cathcart, Latimer and Dale heirs for such portion. Page (of Abstract). The lands conveyed by said deed are embraced within grant No. 224 to William Cathcart, and by mesne conveyances from the said William Cathcart, the title passes to John Brown, Agent. Pages 169 to 181, ~~xxinc~~.

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

Grantors

Jesse Cornwell

Grantees

John Beck

1. Kind of Conveyance Warranty Deed
2. Date of Conveyance 12-30-1808
3. Is it properly executed yes
4. Date of Entry and No.
5. Before what Officer acknowledged Clark
6. Acknowledgments, regular yes
7. If irregular, copy in full on back
8. Did all grantors acknowledge yes
9. Date of acknowledgment Mch. Sess. 1810
10. Was privy examination of wife taken yes
11. Did officer affix Seal —
12. Was order of probate correct 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
14. Date of filing for record 4-20-1810
15. Book A. Page 65
 for Hayward County.
16. Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully) To have & to hold to the said John Beck and to his heirs the land and premises to hold with all the app. thereunto belonging or in anywise appertaining to the only proper use and behoof of him the said John Beck and of his heirs

Exact Description of Property

On both sides v N 7th 1/2 Conspicuity & bounded as follows:

By on a small B.O., 1 leg L. & sd survey Jesse Cornwell bought from Wm Green & mrs N. 120 ft more or less till it strikes a Cond. — made between sd Cornwell & Beck: th W. 127 ft with sd Cond. — to a x: th S. 127 ft more or less to a x: th to — leg.

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

Grantors

Grantees

John Berk Sen		
Henry J Berk		

- Kind of Conveyance Warranty Deed
- Date of Conveyance 10-14-59
- Is it properly executed
- Date of Entry and No.
- Before what Officer acknowledged clerk
- Acknowledgments, regular yes
- Did all grantors acknowledge Personally witness
- Was privy examination of wife taken
- Date of acknowledgment 5-25-61
- Did officer affix Seal no
- Was order of probate correct yes
- Date of filing for record 5-25-1861
- Book 3 Page 368
- for Jackson County.
- Does deed contain any special limitations, provisions or restrictions
- Habendum clause (Quote fully)

Exact Description of Property

Lying on both sides of the west fork of Oconee
 Lefty river, the land which I purchased of Jesse
 Camwell, bounded as follows
 Beginning on a B. Oak on the East side of
 the river, near the mouth of a drain, run
 North 127 fathoms to a Chestnut line made
 between John Berk and Jesse Camwell
 thence West 127 f. to a stake (It would seem
 that a South call was left out at this place
 in the deed) then East 127 fathoms to the
 Beginning. Cont. 100 acres more or
 less. Except 2 acres more or less I the
 said John Berk to the Commission and their
 successors in office for the 38th Dist. for Cannon
 Shoals. The said land this is at the North end of the
 said tract of land containing a school house to the
 use of schools and worship of C. while the same is
 kept up, otherwise to be Henry J Berk

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	J. R. Thomas, Admr.		
	Wm. H. Thomas		
Grantees	H. J. Beck		

- | | |
|---|--|
| <p>1. Kind of Conveyance. Warranty Deed</p> <p>3. Is it properly executed. Yes</p> <p>5. Before what Officer acknowledged. C.S.O.</p> <p>7. If irregular, copy in full on back. 8-5-97</p> <p>9. Date of acknowledgment. No</p> <p>11. Did officer affix Seal. No</p> <p>13. Does conveyance contain covenants—</p> <p>(a) of seizin Yes</p> <p>(b) power to convey Yes</p> <p>(c) against encumbrances Yes</p> <p>(d) against claims of all others Yes</p> | <p>2. Date of Conveyance 8-3-97</p> <p>4. Date of Entry and No. Yes</p> <p>6. Acknowledgments, regular Yes</p> <p>8. Did all grantors acknowledge Yes</p> <p>10. Was privity examination of wife taken Yes</p> <p>12. Was order of probate correct 8-5-97</p> <p>14. Date of filing for record 18 Page 436</p> <p>15. Book Swain County.</p> <p>16. Does deed contain any special limitations, provisions or restrictions</p> |
|---|--|
17. Habendum clause (Quote fully) **To have and to hold the above described land and premises with all the appurtenances thereunto belonging or in any wise appertaining, unto the said party of the second part, his heirs and assigns forever.**

Exact Description of Property

On the waters of Ocena Luffy River, adjoining the tract on which said Beck now lives.

1st Tract: Beginning on a chestnut, the Northwest corner of said Beck home tract, then N. 12 poles to a sourwood in the Cathart line; then S. 49° W 196 poles to a White Oak on top of the divide between Ocena Luffy and Couches Creek; then S. 70° E 54 poles to a double chestnut on said divide; then S. 62° E 64 poles to a hickory; then N. 80° E 41 poles to a chestnut oak; then S 70° E 25 poles to a spanish oak; then S. 50° E 28 poles to a pine; then N. 43° E 141 poles to a small locust on the West bank of the river; then W 100 poles to a hickory Southeast corner of Home tract; then N. 100 poles to the beginning, containing 136 acres.

2nd Tract: Beginning on a stone pile Northeast corner of Home tract with a sourwood and black gum pointers and runs N. 40° E. 102 poles to a black oak; then S. 52° E. 94 poles to Black Oak on a ridge; then N. 81° E 32 poles to a chestnut on another

ridge; then down said ridge S 50° E. 54 poles to a Black Oak between the naked Knob; then S. 20° W. 130 poles to the North East corner of the Mill tract; then W. 72 poles to a stake in the line of the Mill tract; then N. 74 poles to the corner of the 50-acre tract; then W. 70 poles to a corner of the 50-acre tract; then S. 40 poles; then W. 70 poles; then N. 100 poles to the beginning, containing 185 acres.

1. A verbatim copy of that part of the will affecting the lands abstracted is required.
2. Set forth in detail all items of the will bequeathing money legacies, or placing any specific charge upon the land, and following abstract of the will, give all proof contained in the record of the payment of such legacies, and the satisfaction or removal of such charges.
3. A detailed outline of all petitions, orders and decrees relating to the estate from the time of probate of will and qualification of executor until final discharge, must be shown.
4. Such excerpts from the probate proceedings must be shown on this and immediately following pages, and in chronological order.
5. Always show whether or not testator left a widow, and show that her dower right has been barred by acceptance of a devise in lieu of dower, by participation in a division of the estate or in some other manner.

Testator

to

Devises.

1. Date of will. January 4, 1899
2. Book 1 Page 172-173
3. Date probated July 26th, 1900
4. Common or solemn form Common
5. Witnesses W. H. Queen and J. H. Conner
6. Is attestation clause correct? Yes
7. Probated before Clerk Superior Court
8. Letters issued
9. To whom
10. Book Page
11. Final settlement
12. Book Page
13. Inheritance taxes paid
14. Any conditions or reservations in will? Will copied in full
15. Has will been contested? No
16. Has will been construed by court? No

North Carolina

Swain County.

I, J. H. Beck of the aforesaid County and State being of sound mind but considering the uncertainty of my earthly existance do make and declare this my last Will and Testament.

1st I will my first wifes children all my land from the big branch down except J. H. Beck and I will him the place that he is now living on.

My second wifes children all my land on the west side of Ocona Infy River and my other wife and children all the land from the big branch up.

And fifty acres of mountain land known by the name of Chestnut flat land. I want to be sold and applied on my debts if any remainder divide it equally among my children. Furthermore I want my wife to have controlg of the land that I will to her and her children so long as she remains a widow and if

she marries again then her right shall cease. The present growing crop to be used by the members of my family.

I appoint H. E. Beck and J. H. Beck Executors to this my last Will and Testament.

In witness whereof I herunto set my hand and seal.

This 4th day of January A. D. 1899.

H. J. Beck

(Seal.)

Witnesses

W. H. Queen

J. H. Conner.

North Carolina)	In the Superior Court
)	
Swain County)	Before the Clerk.

A paper purporting to be the last Will and Testament of H. J. Beck deceased is Exhibited me the undersigned Clerk of the Superior Court for Swain County by J. H. Beck one of the executors therein named and the due execution thereof by the said H. J. Beck is proven by the oath and examination of W. H. Queen and J. H. Conner the subscribing witnesses thereto who being duly sworn doth depose and say and each for himself deposeth and sayeth that is a subscribing witness and the paper writing now shown me purporting to be the last Will and Testament by H. J. Beck in the present of these deponents subscribed his name at the end of said paper writing now shown as aforesaid and which bears date of 4th of January 1899.

And deponents farther saith that the said H. J. Beck the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and exhibited to be his last Will and Testament

and the deponents did thereupon subscribe their names at the end of said Will as an attestation witness thereto at the request and in the presence of said testator and the deponents further saith that at the said time when said Testator subscribed his name to the said last Will as aforesaid and at the time of deponents subscribing his name as attesting witness thereto as aforesaid the said H. J. Beck was of sound mind and memory of full age to execute a Will and was not under any restraint to the knowledge or information belief of these deponents and further these deponents say not.

W. H. Queen (Seal)

J. H. Conner (Seal)

Severally sworn to and subscribed before me this 26th day of July 1900.

W. M. Taylor, Deputy Clerk of the Superior Court.

North Carolina)	
)	In Superior Court.
Swain County)	

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament of H. J. Beck Deceased and the same with the foregoing examination and this certificate are ordered to be recorded and filed. This 26th day of July 1900.

A. J. Hall

Clerk Superior Court.

Geo. W Beck deposant, that he is a son of H. J. Beck, sometimes called Henry J. Beck; that H. J. Beck was married three times, the name of his first wife being Jane, the name of his second wife Mary H., and the name of his third wife being Harriet E.

That at the time of the death of the said Henry J. Beck, he left him surviving the following named persons as his only heirs at law, to-wit:

(A) Children of his first wife, Jane Beck:

1. William Beck
2. S. L. Beck
3. Elizabeth C. Connor, wife of J. L. Connor
4. M. Jack Beck
5. J. H. Beck
6. J. R. Beck

(B) Children of his second wife, Mary H. Beck:

1. Etta Maney, wife of L. A. W. Maney
2. Allen Beck
3. H. Kinsey Beck
4. Joseph Beck
5. John Beck
6. Rufus Beck

(C) Children of his third wife, Harriet E. Beck:

1. Thomas Beck
2. George W. Beck
3. D. Walter Beck
4. Sallie Maney, wife of L. A. W. Maney

Affiant further states that said Harriet E. Beck, third wife of H. J. Beck is now dead, having died intestate, on June 13, 1913

Geo. W Beck

Sworn to and subscribed before me on this 25th day October, 1928.

Will Wagoner

Notary Public

My Commission expires Nov. 17, 1928

ABSTRACT OF DEED OR GRANT

Grantors

Grantees

In Preamble

As Signed

As Acknowledged

Thomas Beck & wife
Addie Beck.

T. J. Beck & wife
Addie Beck

Thomas Beck & wife
Addie Beck

Andrew Huskey

1. Kind of Conveyance Warranty Deed
2. Date of Conveyance 9-23-07
3. Is it properly executed yes
4. Date of Entry and No. yes
5. Before what Officer acknowledged JO
6. Acknowledgments, regular yes
7. If irregular, copy in full on back yes
8. Did all grantors acknowledge yes
9. Date of acknowledgment 9-23-07
10. Was privy examination of wife taken yes
11. Did officer affix Seal yes
12. Was order of probate correct yes
13. Does conveyance contain convenants—
(a) of seizin yes
(b) power to convey yes
(c) against encumbrances yes
(d) against claims of all others yes
14. Date of filing for record 1-20-08
15. Book 22 Page 64
for Sumner County.
16. Does deed contain any special limitations, provisions or restrictions Covered 1/4 and int
17. Habendum clause (Quote fully) I have and to hold all my individual interest of the aforementioned tract or parcel of land and all the privileges and appurtenances thereto belonging to the said Andrew Huskey and his heirs and assigns, to have and to hold unto the heirs and assigns forever.

Exact Description of Property

Adg. The lands of J. H. Beck & W. E. Queen the same being one-fourth interest of the land willed by H. J. Beck. Deed to the heirs of Horriet Beck, the whole tract con.
250 A. more or less.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Geo. Beck & Cordie A.H. Huskey & Rachel	Geo. Beck & Cordie R. Andy Huskey & Rachel	Geo. Beck & Cordie A.H. Huskey & Rachel
Grantees	Lawman & Sallie Maney		

- Kind of Conveyance Warranty Deed
- Is it properly executed yo
- Before what Officer acknowledged yo
- If irregular, copy in full on back
- Date of acknowledgment 8-31-12
- Did officer affix Seal yo
- Does conveyance contain covenants—
 - of seizin yo
 - power to convey yo
 - against encumbrances yo
 - against claims of all others yo
- Date of Conveyance 8-31-12
- Date of Entry and No. yo
- Acknowledgments, regular yo
- Did all grantors acknowledge yo
- Was privy examination of wife taken yo
- Was order of probate correct yo
- Date of filing for record 12-9-12
- Book 37 Page 123
for Sullivan County.
- Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully) To have and to hold the above tract of land and all privileges and appurtenances thereto, unto the said Lawman and Sallie Maney and their heirs and assigns, to their only use and behoof forever.

Exact Description of Property

adj. the lands of Geo. Beck, W.E. Queen and others: Being a part of the Jackson Beck Tract & bounded as follows:

Begin on a sycamore on the bank of the river near the mouth of the Nolan Branch, and run N. 45° E. 77 fms to a stake on top of ridge; then N. 40° W 3 fms to a chestnut; then N. 26° E. 142 1/2 fms to a corner in the old Beck line; then with the old Beck line to W.E. Queen's corner; then with the Beck & Queen line to the river, and down the river as it meanders to the leg. Con. 125 A. more or less.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	D. W. Beck		
Grantees	H. K. Beck		

1. Kind of Conveyance..... **Warranty 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..... **April 27, 1908**
11. Did officer affix Seal..... **No**
13. Does conveyance contain convenants—
 - (a) of seizin..... **Yes**
 - (b) power to convey..... **Yes**
 - (c) against encumbrances..... **Yes**
 - (d) against claims of all others..... **Yes**
2. Date of Conveyance.....
4. Date of Entry and No..... **April 27, 1908**
6. Acknowledgments, regular.....
8. Did all grantors acknowledge..... **Yes**
10. Was privy examination of wife taken..... **Yes**
12. Was order of probate correct..... **No**
14. Date of filing for record..... **Yes**
15. Book..... **July 27, 1908** Page..... **511** County..... **Swain**
- for..... **32**
16. Does deed contain any special limitations, provisions or restrictions..... **No**
17. Habendum clause (Quote fully)..... **To have and to hold the aforesaid tracts and all privileges and appurtenances thereto belonging to H. K. Beck, his heirs and assigns to their own use and behoof forever.**

Exact Description of Property

one-fourth

"A certain undivided interest of two hundred and fifty acres more or less adjoining the lands of W. E. Queen and J. H. Beck and others willed by the late H. J. Beck to the heirs of H. E. Beck.

JUDICIAL PROCEEDINGS

1. Proceedings in all courts affecting the title of the lands abstracted must be set forth and attached hereto in chronological order, and in such detail as will show all jurisdictional facts averred in the proceedings, proper parties, sufficient service to bring all necessary parties into court, all orders and decrees up to and including confirmation of sale.

2. When minors, insane persons or any other persons for whom a guardian *ad litem*, committee and such like are required to be appointed, are interested, the appointment and acceptance must be shown; it must appear that all statutory requirements have been complied with. Give names of all plaintiffs and defendants.

Daniel Broscos Bros. Co.

vs

H. K. Beck

1. Court--**Superior**----- County--**Swain**-----
2. Kind of action-----**Civil**-----
3. Date of filing-----
4. Date of filing *lis pendens*-----
5. Judgment recorded in Book--**7**----- Page--**16**-----

PROCEEDINGS

Judgment in the above entitled action was rendered for the plaintiff and against the defendant for the sum of \$84.93 with interest on said amount from January 23, 1909 til paid and the further sum of \$1.30, cost of action.

Judgment rendered Feb. 13, 1909.

(Sgd) W. A. Gibson, J.P.

Duly Certified

Execution issued May 28, 1909.
Alias Execution issued Sept 15, 1909.
Returned October 23, 1909, Endorsed".
"No property found in County."

(Sgd) R. J. Roane, Sheriff

Alias Execution issued Dec. 21, 1909.
Execution returned March 5, 1910,
endorsed "Received May 28, 1909, no
property in my county."

(Sgd) R. J. Roane

Execution returned March 10, 1910 with the endorsement "received 12-21-09."
Served Dec. 22, 1909 by leaving upon the land described in the levy filed in this action, which said land so levied upon was duly advertised in the Bryson City Times and sold to the highest bidder for cash on Feb. 7, 1910, at which sale, Lee Maney became the last and highest bidder for the sum of \$100.00, which sum was

delivered to Plaintiff after reserving my Commission. The land so sold is described as a one fourth interest in 250 acres known as the H. K. Beck place.

This Feb. 7, 1910.

(Sgd) R. J. Roane, Sheriff,

(Sgd) O. P. Williams, Clerk.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	R. J. Roane, Sheriff	R. J. Roane, Sheriff	R. J. Roane, Sheriff
Grantees	L. A. W. Mancy		

- | | |
|--|--|
| 1. Kind of Conveyance Deed
3. Is it properly executed Yes
5. Before what Officer acknowledged Clerk
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 | 2. Date of Conveyance Feb. 7, 1910
4. Date of Entry and No.
6. Acknowledgments, regular Yes
8. Did all grantors acknowledge Yes
10. Was privity examination of wife taken No
12. Was order of probate correct Yes
14. Date of filing for record Feb. 7, 1910
15. Book 34 Page 246
for Swain County.
16. Does deed contain any special limitations, provisions or restrictions one-fourth interest |
|--|--|

17. Habendum clause (Quote fully) **To have and to hold the said described premises with the appurtenances unto the said party of the second part, his heirs and assigns forever, as fully and absolutely as he, the said Sheriff, party of the first part aforesaid, can, may or ought to, by virtue of the said execution, and of his said office of Sheriff, grant, sell, convey and confirm the same.**

Exact Description of Property

"All the estate, right, title and interest of the said H. K. Beck Judgment debtor aforesaid whereof he was seized or possessed on the day of the docketing of said Judgment in said County or at any time afterward of, in and to the following described real estate, to-wit:

Adjoining the lands of J. H. Connor J. H. Beck and others and willed by the late H. J. Beck to H. E. Beck and her heirs, the same being one-fourth interest of the H. J. Beck tract containing two hundred and fifty acres.

That whereas a certain writ of execution was issued out of the Superior Court of Swain County in favor of Daniel Briscoe & Bros. Company, plaintiff, and against H. K. Beck, defendant, the said Sheriff was directed and delivered commanding him out of the personal property of said H. K. Beck, if within said County found to satisfy same, or in default thereof out of the real property of said Judgment debtor in said County situated.

That whereas there was not sufficient personal property to satisfy said judgment, the real property hereinafter described, was levied on and advertised according to law, and at the sale, L. W. Maney became the last and highest bidder for the sum of One Hundred Dollars and thirty-two cents. (\$100.32)

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Mrs H.E. Beck	H.E. Beck	H.E. Beck
Grantees	Andy Husky		

1. Kind of Conveyance Lease
2. Date of Conveyance Oct 4 1907
3. Is it properly executed.....
4. Date of Entry and No.....
5. Before what Officer acknowledged J.P.
6. Acknowledgments, regular yes
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge yes
9. Date of acknowledgment 10-4-1907
10. Was privy examination of wife taken yes
11. Did officer affix Seal.....
12. Was order of probate correct yes
13. Does conveyance contain convenants—
14. Date of filing for record 1-20-1908
15. Book 32 Page 66
- for Swam. County.
16. Does deed contain any special limitations, provisions or restrictions for life of H.E. Beck only
17. Habendum clause (Quote fully).....

Exact Description of Property

Partly of first part lease for the sum of \$5⁰⁰ per year
 a tr. of Land known as the Thomas Beck place
 on the east end of the tr. of land that was willed to H.E.
 Beck heirs by H.E. Beck deceased, begin at
 the mouth of the big. Beck branch & run up
 the river to the east end of the mill shed, known
 as the Spruce mill & then to the west end of the
 spruce — at the foot of the hill then up on
 with the Grave Rd ridge as it meanders
 to Gov. land then with their land to Big
 Beck Branch & with the Branch to the
 beginning, and the part of second part to same
 above land for the life of the party of the
 first part by paying the sum of \$5⁰⁰ per yr.

	In Preamble	As Signed	As Acknowledged
Grantors	H. J. Beck and Lee Queen		
Grantees	School Committee of Dist. No. 16 Deacons of the Baptist Church.		

1. Kind of Conveyance..... **Deed**
2. Date of Conveyance..... **Jan. 31, 1882**
3. Is it properly executed..... **No**
4. Date of Entry and No.....
5. Before what Officer acknowledged..... **J. P.**
6. Acknowledgments, regular..... **No**
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge..... **No**
9. Date of acknowledgment..... **March 6, 1882**
10. Was privy examination of wife taken..... **No**
11. Did officer affix Seal..... **No**
12. Was order of probate correct..... **Yes**
13. Does conveyance contain convenants—
14. Date of filing for record..... **March 14, 1882**
15. Book..... **3**..... Page..... **183**
- (a) of seizin..... **No**
- for..... **Swain**..... County.
- (b) power to convey..... **No**
16. Does deed contain any special limitations, provisions
- (c) against encumbrances..... **No**
- or restrictions..... **Yes**
- (d) against claims of all others..... **No**
17. Habendum clause (Quote fully)..... **To have and to hold free from me, my heirs and assigns so long as it is used for State purposes! otherwise, the land is to refer back to the said Beck and Queen, or heirs.**

Exact Description of Property

Bounded as follows:

BEGINNING on a small sour-wood on the bank of the river, the lower end of the flat below the school house, runs Northeast direction to the forks of the branch on the conditional line between Beck and Queen! down said line to the river and down the river to the beginning containing 2 acres more or less is what Beck donates.

The said Queen's, bounded as follows:

BEGINNING on a beech tree on the bank of the river running Eastwardly to a large white-oak on the point of a ridge above the fence! then straight forward to Queen's outer line! thence with that line to the conditional line between him and Beck! thence with that line to the river! thence up said river to the beginning containing 3 acres more or less!

The said Queen is to have the liberty of cultivating the cleared land inside of said boundary.

ABSTRACT OF DEED OR GRANT

Grantees

In Preamble

As Signed

As Acknowledged

**Lee Maney and wife,
_____ Maney**

**L. A. W. Maney
Sallie Maney**

**L. A. W. Maney
Sallie Maney**

**S. W. Black, J. T. Cunningham
and J. I. Calhoun,
County Board Commissioners**

1. Kind of Conveyance..... **Warranty 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..... **April 11, 1923**
11. Did officer affix Seal..... **No**
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..... **May 28, 1921**
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 of probate correct..... **Yes**
14. Date of filing for record..... **Sept. 23, 1925**
15. Book **50** Page..... **624**
for **Swain** County.
16. Does deed contain any special limitations, provisions
or restrictions **No**

17. Habendum clause (Quote fully).....

REGULAR

Exact Description of Property

BEGINNING on a bunch of Ironwood on the East bank of Ocean Luffy river, and runs North 62 East 20 poles to a stake, then North 40 West 15 poles to the line of old school property, then with said line to the river, then South 10 East with the river to the beginning containing one acre more or less.

Tract No. 33

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.....:

L. A. W. Maney and wife Sally Maney

are 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. There is a break in the title of the lands described in grant No. 1399 to John Fergus, as we are unable to find a conveyance from John Fergus to John Tomlinson. Either a deed from Fergus to Tomlinson should be located and recorded or a quit claim deed from the heirs at law of John Fergus should be obtained. However, it is probably impossible to obtain this deed now, owing to the time which has elapsed since its execution. We are informed, however, that L.A.W. Maney and his predecessors in title have been in the occupancy and possession of the said premises for thirty years or more under color of title, and, in our opinion the title of L.A.W. Maney and wife to said lands is good notwithstanding the break in the title.

2. Under the provisions of the Will of H. J. Beck, all his lands lying above the Big Branch, which includes Tract No. 33 were devised to Harriett and her four children. It seems to have been understood among the several devisees that Harriett acquired only a life estate in said lands and that her four children acquired the remainder. But from the wording of the Will, it would seem that Harriett Beck and the children should share equally therein, each taking an undivided one fifth interest. Harriett did not die until after the execution of the deed by Thomas Beck to A. H. Huskey for his one fourth interest and until after the execution of the deed from D. Walter Beck to H. K. Beck for his one fourth interest. At the time of these conveyances both Thomas Beck and D. Walter Beck owned an undivided one fifth interest each in said tract. However, as they attempted to deed an undivided one fourth interest each, we are of opinion that at Harriett Beck's death each acquired an undivided one twentieth interest in said tract, which passed by estoppel to A. H. Huskey and H. K. Beck, respectively, under the deeds herein above referred to.

3. Taxes for the year 1928 amounting to \$ 108.83 are outstanding and unpaid.

4. See conveyances of Church and School Lots shown on pages 223-a and 223-b hereof. These lots are of course exceptions and are to be deducted from tract No. 33.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantees	J. R. Thomas, Admr.		
	Wm. H. Thomas		
	H. J. Beck		

- | | |
|---|--|
| <p>1. Kind of Conveyance..... Warranty Deed</p> <p>3. Is it properly executed..... Yes</p> <p>5. Before what Officer acknowledged..... C.S.C.</p> <p>7. If irregular, copy in full on back</p> <p>9. Date of acknowledgment..... 8-3-97</p> <p>11. Did officer affix Seal..... No</p> <p>13. Does conveyance contain convenants—</p> <p> (a) of seizin..... Yes</p> <p> (b) power to convey..... Yes</p> <p> (c) against encumbrances..... Yes</p> <p> (d) against claims of all others..... Yes</p> | <p>2. Date of Conveyance..... 8-3-97</p> <p>4. Date of Entry and No.....</p> <p>6. Acknowledgments, regular..... Yes</p> <p>8. Did all grantors acknowledge..... Yes</p> <p>10. Was privy examination of wife taken.....</p> <p>12. Was order of probate correct..... Yes</p> <p>14. Date of filing for record..... 8-5-97</p> <p>15. Book..... 18..... Page..... 435</p> <p> for..... Swain..... County.</p> <p>16. Does deed contain any special limitations, provisions or restrictions.....</p> |
|---|--|
17. Habendum clause (Quote fully)..... **To have and to hold the above described land and premises with all the appurtenances thereunto belonging or in any wise appertaining, unto the said party of the second part, his heirs and assigns forever.**

Exact Description of Property

On the waters of Ocona Luffy River, adjoining the tract on which said

Beck now lives.

1st Tract: Beginning on a chestnut, the Northwest corner of said Beck home tract, then N. 12 poles to a sourwood in the Cathcart line; then S. 49° W 196 poles to a White Oak on top of the divide between Ocona Luffy and Couches Creek; then S. 70° E 54 poles to a double chestnut on said divide; then S. 62° E 64 poles to a hickory; then N. 80° E 41 poles to a chestnut oak; then S 70° E 25 poles to a spanish oak; then S. 50° E 28 poles to a pine; then N. 43° E 141 poles to a small locust on the West bank of the river; then W 100 poles to a hickory Southeast corner of Home tract; then N. 100 poles to the beginning, containing 135 acres.

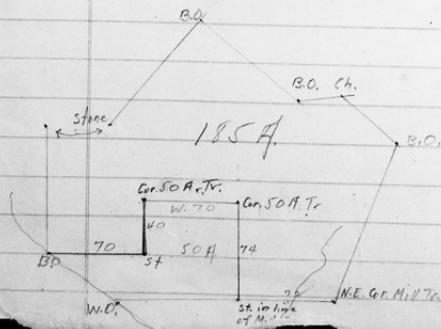
2nd Tract: Beginning on a stone pile Northeast corner of Home tract with a sourwood and black gum pointers and runs N. 40° E. 102 poles to a black oak; then S. 52° E. 94 poles to Black Oak on a ridge; then N. 81° E 32 poles to a chestnut on another

ridge; then down said ridge S 50° E. 54 poles to a Black Oak between the naked Knob; then S. 20° W. 130 poles to the North East corner of the Mill tract; then W. 72 poles to a stake in the line of the Mill tract; then N. 74 poles to the corner of the 50-acre tract; then W. 70 poles to a corner of the 50-acre tract; then S. 40 poles; then W. 70 poles; then N. 100 poles to the beginning, containing 185 acres.

$\frac{13}{553}$ dead
 $\frac{18}{435}$

dead
 J. L. Thomas $\frac{18}{435}$
 To
 H. J. Buck

2nd Tract Beg. on a stone
 pile N.E. cor. of Hume tract
 with a Sawwood & B. Gum Sts.
 run N. 40 E 102 f. to B. Oak
 S. 52 E. 94 f. B. Oak, on ridge
 N. 81 E. 32 f. to a Chert on another
 ridge then down said ridge
 S 30 E 54 f. to B. Oak then
 S 20 W. 130 f. to the N.E. cor.
 of the mill tract, then W 72
 f. to St in line of mill tract
 then N. 74 f. to cor. of 50 acre
 tract, then W 70 f. " " " "
 S 40 f. then W 76 f. then
 N 100 f. to Beg. 185 acre



Thomas Beck
32 / Faddie
64 | 9/32/07
1/4 in.
O.H. Huskey

My other sister & children
land from Big Horn up to

1879
 1880
 1881
 1882
 1883
 1884
 1885
 1886
 1887
 1888
 1889
 1890
 1891
 1892
 1893
 1894
 1895
 1896
 1897
 1898
 1899
 1900
 1901
 1902
 1903
 1904
 1905
 1906
 1907
 1908
 1909
 1910
 1911
 1912
 1913
 1914
 1915
 1916
 1917
 1918
 1919
 1920
 1921
 1922
 1923
 1924
 1925
 1926
 1927
 1928
 1929
 1930
 1931
 1932
 1933
 1934
 1935
 1936
 1937
 1938
 1939
 1940
 1941
 1942
 1943
 1944
 1945
 1946
 1947
 1948
 1949
 1950
 1951
 1952
 1953
 1954
 1955
 1956
 1957
 1958
 1959
 1960
 1961
 1962
 1963
 1964
 1965
 1966
 1967
 1968
 1969
 1970
 1971
 1972
 1973
 1974
 1975
 1976
 1977
 1978
 1979
 1980
 1981
 1982
 1983
 1984
 1985
 1986
 1987
 1988
 1989
 1990
 1991
 1992
 1993
 1994
 1995
 1996
 1997
 1998
 1999
 2000
 2001
 2002
 2003
 2004
 2005
 2006
 2007
 2008
 2009
 2010
 2011
 2012
 2013
 2014
 2015
 2016
 2017
 2018
 2019
 2020
 2021
 2022
 2023
 2024
 2025
 2026
 2027
 2028
 2029
 2030
 2031
 2032
 2033
 2034
 2035
 2036
 2037
 2038
 2039
 2040
 2041
 2042
 2043
 2044
 2045
 2046
 2047
 2048
 2049
 2050
 2051
 2052
 2053
 2054
 2055
 2056
 2057
 2058
 2059
 2060
 2061
 2062
 2063
 2064
 2065
 2066
 2067
 2068
 2069
 2070
 2071
 2072
 2073
 2074
 2075
 2076
 2077
 2078
 2079
 2080
 2081
 2082
 2083
 2084
 2085
 2086
 2087
 2088
 2089
 2090
 2091
 2092
 2093
 2094
 2095
 2096
 2097
 2098
 2099
 2100
 2101
 2102
 2103
 2104
 2105
 2106
 2107
 2108
 2109
 2110
 2111
 2112
 2113
 2114
 2115
 2116
 2117
 2118
 2119
 2120
 2121
 2122
 2123
 2124
 2125
 2126
 2127
 2128
 2129
 2130
 2131
 2132
 2133
 2134
 2135
 2136
 2137
 2138
 2139
 2140
 2141
 2142
 2143
 2144
 2145
 2146
 2147
 2148
 2149
 2150
 2151
 2152
 2153
 2154
 2155
 2156
 2157
 2158
 2159
 2160
 2161
 2162
 2163
 2164
 2165
 2166
 2167
 2168
 2169
 2170
 2171
 2172
 2173
 2174
 2175
 2176
 2177
 2178
 2179
 2180
 2181
 2182
 2183
 2184
 2185
 2186
 2187
 2188
 2189
 2190
 2191
 2192
 2193
 2194
 2195
 2196
 2197
 2198
 2199
 2200
 2201
 2202
 2203
 2204
 2205
 2206
 2207
 2208
 2209
 2210
 2211
 2212
 2213
 2214
 2215
 2216
 2217
 2218
 2219
 2220
 2221
 2222
 2223
 2224
 2225
 2226
 2227
 2228
 2229
 2230
 2231
 2232
 2233
 2234
 2235
 2236
 2237
 2238
 2239
 2240
 2241
 2242
 2243
 2244
 2245
 2246
 2247
 2248
 2249
 2250
 2251
 2252
 2253
 2254
 2255
 2256
 2257
 2258
 2259
 2260
 2261
 2262
 2263
 2264
 2265
 2266
 2267
 2268
 2269
 2270
 2271
 2272
 2273
 2274
 2275
 2276
 2277
 2278
 2279
 2280
 2281
 2282
 2283
 2284
 2285
 2286
 2287
 2288
 2289
 2290
 2291
 2292
 2293
 2294
 2295
 2296
 2297
 2298
 2299
 2300
 2301
 2302
 2303
 2304
 2305
 2306
 2307
 2308
 2309
 2310
 2311
 2312
 2313
 2314
 2315
 2316
 2317
 2318
 2319
 2320
 2321
 2322
 2323
 2324
 2325
 2326
 2327
 2328
 2329
 2330
 2331
 2332
 2333

Thos M. Pettit
By W. F. Brown
7/3/24

110/50A

Box 168 7/19/47
50 A.
also auth.

Catholic
B / Pa
471
474
481

~~Spoken by
+ # for C...
7/1/28/9/40~~

~~J.P. Thompson~~

H. J. Be

Rott Jun
 B
 165
 John Bee

James T

8/3/97

ch

Samuel
7/11

104 4
498

7	2	15	6
402	11		

[illegible]

Back 9/10/12
etals 12/16/14
#139

Jessy Connell

~~12/30/1808~~
~~S. Johnson~~
~~#1399~~

10/14/59

5/1807

✓ 4
13

C. 1.
12.
✓ 4

2/9 | 1/8/20

7. Jeaghe⁺
2. Jeaghe
19 | 1/6/21

8 | 2500
M. Jenkins
out Charlotte

Salton River

$\frac{49}{385}$	$\frac{512}{20}$
------------------	------------------

11. 2. 4. 20

Water location: Tuffeena
Muddy Creek, 1/2 mile, +
better corner
53
467
9/16/23
Pot 37
4A
Lenard Conner

Murphy Corner of
 Essie Corner
 53 / 57826
 466 / H.A. Corner 36
 DeCater Corner

Conny, Dealer
Wally Watson

Leonard Conny &
Marilyn Conny and
debbie Conny

✓ 50 | 9/15
622 | 4A. Conny

George
 4 George
 423
 38

mark
 Dallis
 45
 521
 R. H

Holland &
Holland
8/18/23
Same as 5/27
Covers 3H
Beck tuf
Beck

and Conn + keep

Myself Com. ref.
Essie

1844 | C2A (2)
Geo. Beckwith

A.H. Hu
 $\frac{55}{163} \mid 4$
 James

sketch of
113721 50A $\sqrt{3/5}$
Wilson

L.A.W.MANEY LAND.

DEED.

GEO.BECK ET AL.

Date

Aug.31,1912

TO

Reg.

Book 39.p.123.

L.A.W.MANEY

Swain County.

125 Acres.

DESCRIPTION.

BEGINING on a Sycamore, on the bank of the river, near the mouth Noland Branch, runs

N.45 E.	77 poles to a Stake, on top of ridge;
N.40 W.	3 " to a Chestnut
N.26 E.	142½ " to a Sourwood, in the old Beck line;
With Beck Line	to W.E. Queen's corner
Beck & Queen line	to the River
Down River	to the begining.

J.M. Ayers.

See to

Grant 13633 J.R. Kinsey

Grant 7843 S.L. Beck

$\frac{16}{187}$

114 1/2 acs

J.R. & N.R. Kinsey
11-9-1894

Sum of N.R. Kinsey

J.M. Kinsey Hair 1/2
4-10-20 48

48

344

W.J. Kinsey Hair 1/2
3-26-20 47

47

349

Margret Childers Hair 1/2
3-6-20 47

47

327

Minta Parrish Hair 1/2
3-6-20 47

47

304

Fannie Vick Hair 1/2
1-1-20 47

47

248

M.E. Suttan Hair 1/2
10-1920 48

48

379

7-22-98

$\frac{19}{369}$

2 1 1/2 acs

6/7 - J.R. Kinsey

Swain

COUNTY.

THIS AGREEMENT, made this

12th

day of

July

A.D. 1929,

by and between

L. A. W. Maney and wife, Sallie Maney

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

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. 33.

Lying on the East side of Ocona Lufty River, just below Smokemont.

BEGINNING at Corner 1; thence N. 46-49 East 2.90 chains, Corner 2; thence, with the old road location North 46-54 West 2.63 chains, Corner 3; North 20-50 West 2.16 chains, Corner 4; North 9-40 West 4.38 chains, Corner 5; thence, up the stream with its meanders North 19-30 East 2.82 chains; North 44-30 East 1.68 chains; North 66-10 East 2.50 chains, Corner 6; thence North 14-30 West 3.78 chains, Corner 7; thence, up the ridge, with its meanders, thence North 66-51 East 4.47 chains; North 74-27 East 3.40 chains; North 71-02 East 3.55 chains; North 60-48 East 2.66 chains; North 57-29 E. 1.68 chains; North 78-47 East 2.44 chains; North 63-15 East 1.89 chains; North 86-05 East 2.38 chains, Corner 8; thence North 37-02 East 15.93 chains, Corner 9; thence North 40-10 West with the Indian Boundary line 21.21 chains, Corner 10; thence, with two lines of the W. E. Queen Tract (11) South 40-47 West 28.91 chains, Corner 11; North 85-25 West 13.17 chains, Corner 12; thence, down the river with its meanders South 6-45 East 1.20 chains; South 11-44 East 4.98 chains; South 39-38 East 1.60 chains; South 0-55 East 7.13 chains; South 7-50 East 10.21 chains; South 44-51 East 13.76 chains, the place of beginning, containing 97.57 acres.

Also all other pieces, parcels or lots of land or interest in lands located within the area designated by the Secretary of the Interior as the "Great Smoky Mountains National Park".

The Vendor agrees to procure and have recorded at his own expense all such deeds and other evidences of title which he may be advised by the Attorney-General of North Carolina or his assistants are necessary and proper to vest in the Vendee good and sufficient title to said land.

The price to be paid for said lands by the Vendee is the sum of \$2500.00....., payable as follows:

Cash upon delivery of deed.

In the event the price is by the acre, such acreage shall be ascertained by an accurate survey made by the Vendee.

In the event that the title of the Vendor is not satisfactory to the Attorney-General of North Carolina, title may be acquired by the institution of condemnation proceedings, in which event the evidence to be presented by both parties to this agreement before the appraiser or appraisers in condemnation proceedings in the valuation of said land shall be the same price as stipulated in this agreement.

It is agreed that any demand or notice to the Vendor on the part of the Vendee of the acceptance hereof shall be through the Chairman or Executive Secretary of the North Carolina Park Commission.

IN WITNESS WHEREOF the said Vendor has hereunto set his hand and seal, the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

Sallie Maney (Seal)
Sallie Maney (Seal)
..... (Seal)
..... (Seal)

STATE OF NORTH CAROLINA *Swain* *Buncombe* COUNTY.

I, *W. H. Woodbury*, a Notary Public

do hereby certify that *L. A. W. Maney*

and *Sallie Maney*

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said *Sallie Maney*, being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, doth state that she signed the same freely and voluntarily, without fear or compulsion of her said husband or any other person, and that she doth still voluntarily assent thereto. Let the instrument and the certificate be registered.

Witness my hand and *W. H. Woodbury* seal this *17th* day of *July*, A.D. 192*9*

My commission expires *Jan 14, 1931*

W. H. Woodbury
Notary Public.

Option

L.A.W. Maney and wife

TO

THE STATE OF NORTH CAROLINA

Consideration - - - \$2500.00

Dated 12th day of July, 1929.

Filed for registration on the 12 day of July, 1929, at 1:00 o'clock A.M., and registered in the office of the Register of Deeds for

Swain

County, North Carolina, on the 13

day of July, 1929, in Book

No. 8 of Deeds, at page 73

Ellis Burnette
Register of Deeds.

FEES.

STATE OF NORTH CAROLINA
The foregoing certificate of *Swain* County, *W. H. Woodbury* A. N. P.
of *Swain* County, adjudged to be correct. Let the instrument and the certificate be registered.
This 12 day of July, A.D. 1929.

W. H. Woodbury, Clerk Superior Court.

P. O. Box 1232,
Ashoville, N.C.

July 22, 1929.

MR. L. A. W. Maney,
Smokemont, N. C.

Dear Sir:

We are enclosing herewith check for \$1.00,
which is in acknowledgment of option which you
have given us on your tract of land located within
the Park area.

Yours very truly,

NORTH CAROLINA PARK COMMISSION.

P. O. Box 1232,
Asheville, N.C.

September 11, 1929.

Mr. Zebulon Weaver,
Bryson City, N. C.

Dear Mr. Weaver:

Answering your phone call this morning,
we are enclosing you check for \$2500.00, payable to
L. A. W. Maney and wife, Sallie Maney.

We will advise Mr. Rhoades tomorrow as
to the Coffey matter, and hope to get a check out there
right away so it can be settled.

Yours very truly,

WHW:S
Encl.

THIS DEED, Made this 12th day of September
L. A. W. Maney and Sallie Maney his wife

A.D. 1929, by and between

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, FIVE HUNDRED----- (\$2,500.00) 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.:

T R A C T N O. 33.

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 East side of Ocona Lufly River, just below Smokemont.

BEGINNING at Corner 1, a sycamore on the East bank of the river, shown as the corner by L. A. W. Maney.

A 12" sycamore, blazed and scribed B. T. M. 1, bears N. 20-00 W. .20 chain distant; thence, N. 46-49 E. 2.90 chains, corner 2, a point at intersection with the public road, the South corner of the Walter Watson Tract; thence, with the old road location N. 46-54 W. 2.63 chains, corner 3, a point in public road. N. 20-50 W. 2.16 chains, corner 4, stake on bank of public road; N. 9-40 W. 4.38 chains, corner 5, an 8" white oak on bank of small stream and just above road; thence, with the stream with its meanders; N. 19-30 E. 2.82 chains; N. 44-30 E. 1.68 chains; N. 66-10 E. 2.50 chains corner 6, a marked ash on the bank of branch, a corner common to the Rufus Beck and Murphy Conner Tracts; thence, N. 14-30 W. 3.78 chain corner 7, a marked sourwood, on top of a ridge, a corner of the Rufus Beck Tract; thence, up the ridge, with its meanders; thence, N. 66-51 E. 4.47 chains; N. 74-27 E. 3.40 chains; N. 71-02 E. 3.55 chains; N. 60-48 E. 2.66 chains; N. 57-29 E. 1.68 chains; N. 78-47 E. 2.44 chains; N. 63-15 E. 1.89 chains; N. 86-05 E. 2.38 chains corner 8, a small red oak, with corner marks, on top of the ridge and in the old Maney line; thence, N. 37-02 E. 15.93 chains, corner 9, a point on very old marked line, the Indian Boundary. Set a sassafrass post scribed I. B. on N. E. side, and M. on S. W. side. A 40" white oak, blazed and scribed B. T. I. B. bears N. 54-00 E. .17 chain distant, A 26" chestnut, blazed and scribed B. T. M. bears S. 77-00 W. .08 chain distant; thence, N. 40-10 W. with the Indian Boundary line, 21.21 chains, corner 10, which is corner 16 of the W. E. Queen Tract (11), a planted stone, in the Indian Boundary line. A 6" chestnut oak blazed and scribed B. T. -Q 3, bears East .30 chain distant; thence, with two lines of the W. E. Queen Tract (11); S. 40-47 W. 28.91 chains, corner 11, a planted stone at intersection of marked lines near top of spur ridge. A 12" white oak, blazed and scribed B. T. Q. 2, bears N. 50-00 W. .35 chain distant; N. 85-25 W. 13.17 chains, corner 12 a point at the center of Ocona Lufly River, .20 chain distant above center of bridge, being corner 12, of the Champion Fibre Company Tract (1-d); thence, down the river with its meanders, S. 6-45 E. 1.20 chains; S. 11-44 E. 4.98 chains; S. 39-38 E. 1.60 chains; S. 0-55 E. 7.13 chains; S. 7-50 E. 10.21 chains; S. 44-51 E. 13.76 chains, the place of BEGINNING, containint 97.57 acres.

SIGNED, SEALED AND DELIVERED
in the presence of

L. A. W. Maney (Seal)

Sallie Maney (Seal)

(Seal)

(Seal)

STATE OF NORTH CAROLINA Swain COUNTY.

I, Will W. Wiggins, a Notary Public

do hereby certify that L. A. W. Maney

and Sallie Maney

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Sallie Maney, being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, doth state that she signed the same freely and voluntarily, without fear or compulsion of her said husband or any other person, and that she doth still voluntarily assent thereto. Let the instrument and the certificate be registered.

Witness my hand and Notarial seal this 12th day of September, A.D. 1929

Will W. Wiggins
Notary Public.

My commission expires Dec. 19, 1930.

Warranty Deed

L. A. W. Maney and wife
TO

THE STATE OF NORTH CAROLINA

Consideration - - - \$ 2,500.00

Dated 12th day of Sept., 1929

Filed for registration on the 13th
day of Sept., 1929, at 2:05
o'clock P. M., and registered in the office
of the Register of Deeds for

Swain

County, North Carolina, on the 12th

day of Sept., 1929, in Book

No. 58 of Deeds, at page 406

Ellis Burnette
Register of Deeds.

FEES.

STATE OF 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 certifi-
cate be registered.

This 12th day of September

A.D. 1929

J. H. Brown, Clerk Super

THIS DEED, Made this day of A.D. 192 , by and between

L. A. W. Maney and wife, Sallie Maney

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 (\$) 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 Lufty Township Swain County, State of North Carolina, particularly described as follows, viz.:

Being exception as recited in deed from L. A. W. Maney and wife, Sallie Maney, to M. W. Beck and wife, Julia Beck, dated April 11, 1923 and recorded in Book 45, page 400 of the Records of Deeds of Swain County and being particularly described as follows:

"The Grave-yard known as the Beck Grave-yard and contains one acre more or less. The boundaries of the grave-yard is to be as the fence now stands,"

(It is hereby requested by the Grantors herein that the tract of land hereby conveyed shall, after it has become a part of the Great Smoky Mountains National Park, be maintained as a burying ground by the National Park Service.)

(Grave-yard)

R. J. R

Part of 33

Warranty Deed

L.A.W. Maney and wife,

TO

THE STATE OF NORTH CAROLINA

Consideration - - - \$

Executed *28th* day of *Febr.*, 1931.

Filed for registration on the *4th*

day of *March*, 1931, at *9:30*

o'clock *A.*M., and registered in the office

of the Register of Deeds for

Swain

County, North Carolina, on the *4th*

day of *March*, 1931, in Book

No. *58* of Deeds, at page *545*

Frank Hyatt

Register of Deeds.

FEES.

STATE OF NORTH CAROLINA

COUNTY.

The foregoing certificate

of *Id. C. Maney, a Notary*

Public

be registered. *Swain* County, adjudged to be correct. Let the instrument and the certificate

This *4th* day of *March*

A.D. 1931

W. B. Drumming Clerk Superior Court