

## DESCRIPTION OF THE BOUNDARY

OF THE

W. H. THOMAS HEIRS TRACT

(42)

Note: All bearings in this description are referred to the true meridian and all distances are expressed in chain of 66 feet.

Beginning at corner 1, which is corner 3 of the M. W. Beck Tract (41), a point in the Indian Boundary Line.

Thence, with a line of the M. W. Beck Tract (41).

S. 4-33 W.

23.94 Corner 2, which is corner 2 of the J. H. Beck Tract (46), a point in the old Beck Line.

Set a post scribed B.

A 14" Spanish oak, blazed and scribed B.T.-B, bears S. 75-00 E. .20 chain distant.

Thence, with lines of the J. H. Beck Tract (46),

S. 4-40 W.

16.11 Corner 3, a point at corner of wife fence, with a sourwood witness,

N. 11-42 E.

7.64 Corner 4, a 20" chestnut oak, with old marks on a spur ridge.

A 12" chestnut oak, blazed and scribed B.T., bears N. 14-00 W. .18 chain distant.

N. 33-21 E.

12.06 Corner 5, a 30" black oak, with corner marks, on the divide between Tow String Creek and Beck Branch.

Thence with lines of the William Johnson Tract (43)

N. 13-52 W.

7.01 Corner 6, a post with witnesses on the divide between Tow String Creek and Beck Branch.

A 14" spanish oak, blazed and scribed B.T. bears

S. 17-00 E. .30 chain distant.

N. 27-15 E.

8.19

Corner 7, a spanish oak with corner marks and witnesses  
on the Indian Boundary Line.

Thence N. 40-47 W.

With the Indian Boundary Line.

10.76

The place of beginning, containing 15.64 acres.

NORTH CAROLINA PARK COMMISSION,

ASHEVILLE, N.C.

REPORT ON THE W. H. THOMAS TRACT NO. 42-----15.64 acres.  
ALSO ON CLAIM OF W. H. THOMAS HEIRS IN TRACTS NOS. 52,  
AND 53, CONTAINING 14 and 16 ACRES RESPECTIVELY, AND  
TRACT NO. 1-f, LISTED AS CHAMPION FIBRE CO. CONTAINING  
78.79 ACRES. COMBINED TOTAL ACREAGE--124.43 ACRES.

Location: These tracts are located within what is known as the William Cathcart Grant No. 224 on the Waters of Oconaluftee, adjoining Indian lands, and while they are listed under various ownerships, it is apparent that Thomas has a valid claim to 124.43 acres.

Description: All mountain woodland, with no improvements.

Valuation: The net acreage was valued at \$10.00 per acre, but the Cathcart Grant covers approximately 2000 acres within the Park area, and a great many of the deeds heretofore made to the various property owners within the area, are more or less defective. Therefore, in order to secure a warranty deed for the 124.43 acres and a quit claim for anything else within the area, the sum of \$1350.00 was agreed upon for this purchase. An option was not taken, but a deed has been prepared, and the various heirs of the William H. Thomas Estate have agreed to sign.

The appraisers recommend your approval of this transaction at the price of \$1350.00.

Analysis of Title

Tract No. 42.

1. Tract No. 42 is covered by grant No. 224 to William Cathcart, shown on page 169 of this Abstract. The lands described in said grant were transferred by mesne conveyances to William H. Thomas by the several deeds and instruments shown on pages 170 to 182, inclusive, of this Abstract. So far we have been unable to find any conveyance from W. H. Thomas or from the Administrator of W. H. Thomas or from the Guardian of W. H. Thomas or from the heirs at law of W. H. Thomas for this tract. We, therefore, conclude that the title is now in the heirs at law of the said W. H. Thomas. The names of the heirs at law of W. H. Thomas are shown in the affidavit on page herein.

2. We have heard it rumored that this particular tract has been sold for the taxes, but we have been unable to find out the name of the purchaser, if same has been sold.

Tract No. 42.

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.....:

Heirs at law of W. H. Thomas

...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. The heirs at law of W. H. Thomas appear to have a good title to this tract under and by virtue of grant No. 224 to William Cathcart and the conveyances made thereunder, unless and except the said lands have been sold for taxes. So far we have been unable to find any tax deed covering said property. If the lands are listed for taxes for the year 1928, we have been unable to find out the name of the person in whose name listed.

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

February 26, 1930

Mr. James R. Thomas,  
Waynesville, N. C.

Dear Mr. Thomas:

The writer will be at Bryson City Saturday until one o'clock, and would like very much to meet you there for the purpose of trading on your holdings on Oconaluftee River.

Yours truly,

NORTH CAROLINA PARK COMMISSION

By W. H. Woodbury,  
Purchasing Agent.

WW:II

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

March 10, 1930.

Mr. James R. Thomas,  
Waynesville, N. C.

Dear Mr. Thomas:

We would be very glad to close the Lufty transaction with you and get it behind us. Of course, we know you would like to examine the records at Bryson City and check up on the information we have given you. If you have not already done so, we hope that you will make the examination at an early date.

If the writer is not in Bryson City, and you desire to close the trade, Mr. Will Wiggins or Mr. W. N. Sloan will understand the proposition and will close it with you.

The commission meets next Saturday and we would like to have this matter to put before them at that time. As they meet only once a month, the matter will be delayed another month unless this is concluded at its next meeting.

Yours truly,

NORTH CAROLINA PARK COMMISSION

By W. H. Woodbury,  
Purchasing Agent.

WHW/H

# NORTH CAROLINA PARK COMMISSION

CREATED BY THE STATE OF NORTH CAROLINA

TO ESTABLISH A NATIONAL PARK IN

THE GREAT SMOKY MOUNTAINS

5. RALEIGH  
MOUNTAIN  
Kinston  
ASHEVILLE  
BLACK MOUNT

MARK SQUIRES, CHAIRMAN, LENOIR  
EUGENE C. BROOKS, SECRETARY, RALEIGH  
VERNE RHOADES, EXECUTIVE SECRETARY, ASHEVILLE

J.A. HARDISON, WADESBORO  
STUART W. CRAMER, JR., CARMERTON  
J. ELMER LONG, DURHAM  
HARRY L. NETTLES, BILTMORE  
E. S. PARKER, JR., GREENSBORO  
MARK SQUIRES, LENOIR

Bryson City,  
North Carolina,  
April 28, 1930.

Mr. W. H. Woodbyry,  
Asheville,  
North Carolina.

Dear Sir:- I am inclosing a deed from the of W.H.Thomas Jr to the Sate of North Carolina, which will explain its self.

You will see that it has been signed by some of the heirs and by refering to the certificate of acknowledgement, for Buncombe County, you will find the names of the heirs that live there.

I wish you or Mr. Bramlett would get the signatures of these and return the deed to me and I will get the remainder of them to sign.

There were six of the children of W.H.Thomas Jr and they own one third interest, so each of the six would be intitled to \$75.00. Sallie Thomas Patton died leaving her husband, W.T. Patton, James Thomas Patton, Mrs. Byrd and Mrs. Stallcup, they all instructed me to have the check for \$75.00 made to James Thomas Patton.

Please have the check sent with the deed and I will get the signature of Henry Byrd and Gleon Stallcup before I give them the check.

Like deed have been sent to Mrs. Sallie L. Avery and to Jas. R. Thomas, and we hope to have them back in a few days. It is very necessary to get this matter closed up as it will help Mr. Weaver out in passing the title, to a number of tracts, to the Goverment.

You can explain to them that we have agreed on this price twith Jas. R. Thomas and with the children of Mrs. Patton. I am,

Yours very truly,

*Will H. Higgins*

You can tell by looking at this deed and letter that Mrs. Daegerty is a very.

606 City Building,  
P. O. Box 1232,  
Asheville, N. C.

May 6, 1930.

Mr. W. Glenn Stallcup,  
Gauley Mills, W. Va.

Dear Sir:

We are enclosing herewith a deed, which we would be glad for you to take before a Notary Public and acknowledge your own signature. Your signature should be on the line indicated by your first name, "Glenn," written in pencil. You should sign your name as "Glenn Stallcup," as that is the way it is written in the deed.

You will notice that all of the heirs have signed this deed except yourself, and inasmuch as some of them want the money as quickly as possible, we would appreciate it if you will attend to this matter as soon as possible, and return the deed to us in the enclosed stamped envelope.

Please have the letter registered. Fee for registration is enclosed herewith.

Very truly yours,

Verne Rhoades,  
Executive Secretary.

VR:S

Encl.

606 City Building,  
P. O. Box 1232,  
Asheville, N. C.

May 16, 1930.

Mr. Will W. Wiggins,  
Bryson City, N. C.

Dear Mr. Wiggins:

There is enclosed herewith the deed from W. H. Thomas and wife, et al., to the State of North Carolina.

As you will note, it has been signed by all parties except Mariah Long and Henry Byrd. I understand Mr. Weaver is preparing the proper papers with reference to these persons, and he will give you instructions as to securing their signatures to the deed.

We are informed that Henry Byrd resides in Sylva.

Very truly yours,

H. K. Sanders.

HKS  
Encl.

606 City Building,  
P. O. Box 1232,  
Asheville, N. C.

July 25, 1930.

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

Dear Mr. Weaver:

This is to call your attention to your promise to have the proper papers drawn in the case of Mr. Thomas' sister, which I called you about over the phone on Thursday.

Mr. Thomas is anxious to get them signed, so that he can close out his part of the transfer as soon as possible.

Very truly yours,

Verne Rhoades,  
Executive Secretary.

VR:S

606 City Building,  
P. O. Box 1232,  
Asheville, N. C.

October 1, 1930.

Mr. Will W. Wiggins,  
Bryson City, N. C.

Dear Mr. Wiggins:

Enclosed herewith you will find 5 money orders, totalling \$450.00, made out to Mrs. Sallie L. Avery, of Charlotte, in accordance with your request.

I talked this matter over with Mr. Weaver this morning, and he said the quit claim deed which Mrs. Avery has agreed to sign should cover not only Mrs. Avery's interest in the Thomas Heirs Tract of 115 acres, but should also quit claim whatever interest she considered she had in certain other tracts, which Mr. Weavers says you are familiar with. I think the total acreage will represent some 400 or 500 acres from what he said.

Mr. Weaver feels that if we do not get the full interest that Mrs. Avery may claim in Swain County within the Park that we ought to let the condemnation go ahead.

Very sincerely yours,

Verne Rhoades,  
Executive Secretary.

VR:S

Encls. 5

606 City Building,  
P. O. Box 1232,  
Asheville, N. C.

November 1, 1930.

Mr. W. W. Wiggins,  
Bryson City, N. C.

Dear Mr. Wiggins:

There is a one-eighteenth outstanding interest in the Thomas lands, belonging to Maria Thomas Long, and W. H. Thomas III, was in here yesterday and stated that he was authorized to sign up for it for \$75.00. Mr. Weaver has just been in here and states that some court procedure will be necessary, but in the meantime, he would like to have a deed prepared by you, leaving dates and names blank, but have the description exactly as the former deeds for this one-eighteenth interest. Please attend to this at your convenience.

If there are any recorded deeds in the Register's office, please send them to us.

Yours truly,

W. H. Woodbury

WHW:H

NORTH CAROLINA,  
SWAIN COUNTY.

IN THE SUPERIOR COURT  
BEFORE THE CLERK.

WILLIAM H. THOMAS, III, GUARDIAN OF  
MARIAH THOMAS LONG, LUNATIC,

P E T I T I O N

Ex Parte.

William H. Thomas, III, alleges:

1. That he was appointed as Guardian for Mariah Thomas Long, Lunatic, by J. T. Gribble, Clerk of the Superior Court of Jackson County, on March 9, 1929, and duly executed and filed with said Clerk the bond required by him as such guardian.

2. That said Mariah Thomas Long, Lunatic, is the owner of a certain interest in lands lying and being in Swain County, North Carolina, which lie within the area of the Great Smoky Mountains National Park; that the interest of said lunatic in said lands is a one-eighteenth (1/18) undivided interest, which descended to her from her father, William H. Thomas, deceased.

3. That said lands are described as follows:

TRACT NO. 1

BEGINNING at corner 1, which is corner 1 of the Champion Fibre Co. Tract (1-e), a 30" white oak with old marks and witnesses, on top of divide between Couch's Creek and the river, and in the Cathcart line, blazed and scribed C.B. Cor. 2; thence, down the ridge with its meanders South 69-10 E. 1.42 chains; South 81-21 East 4.57 chains; South 56-35 East 3.24 chains; South 63-15 East 3.97 chains; South 72-57 East 3.07 chains; South 57-01 East 4.28 chains; South 58-21 East 1.88 chains; South 53-38 East 3.92 chains, corner 2, a point on ridge top, a corner common to Cling Beck and W. W. Rogers; thence South 8-33 West 11.32 chains, corner 3, a point, set a chestnut post scribed W.R. Cor. 11; thence South 24-42 East 2.66 chains, corner 4, a point set a chestnut post scribed W.R. Cor. 10; thence South 0-05 West 4.78 chains, corner 5, a planted stone shown as corner by T. L. Lovin, a corner common to W. W. Rogers and Tom Childers; thence North 87-35 West 16.08 chains, corner 6, an ash snag, shown as corner by T. L. Lovin, in forks of small stream, blazed and scribed T.C. Cor. 2; thence South 88-06 West 5.09 chains, corner 7, a planted stone with witnesses on top of a ridge, shown as corner by T. L. Lovin and Tom Childers, a corner common to Coburn and Tom Childers; thence North 47-35 West 18.19 chains, corner 8, a post scribed J.C. Cor. 7; thence North 50-08 West 6.62 chains, corner 9, a black oak stump with witnesses, a corner of the Cathcart survey; thence North 52-53 East 20.89 chains, the place of BEGINNING containing 78.79 acres.

TRACT NO. 2

BEGINNING at corner 13 of the W. W. Rogers Tract No. 52, a black oak scribed T.C.II, West 11.50 chains to corner 7 of the W.W. Rogers Tract No. 52, a stake scribed W.R.C. VIII, a 4" chestnut

scribed B.T. W.R.C. VIII bears South 32-30 East .24 chain distant; thence with the lines of the Rogers tract North 89-44 West 1.62 chains, corner 8, a planted stone shown as corner by T. L. Lovin which is corner 5 of the Champion Fibre Company Tract (1-f), running thence with three lines of the Champion Fibre Co. Tract 1-f; North 0-05 East 4.78 chains, corner 9, a point, set a chestnut post scribed W.R. Cor. 10; North 24-42 West 2.66 chains, Corner 10, set a chestnut post scribed W.R. Cor. 11; North 8-33 East 11.32 chains, corner 11, a point on a ridge top, being corner 2 of the Champion Fibre Company tract (1-f), and a point in the line of the C. L. Beck Tract (47); thence with the Beck Tract (47); South 50-04 East 3.26 chains, corner 12, a chestnut stake in place of old hickory scribed C.R. Cor. III on top of a ridge, corner 1 of the Calloway Treadaway Tract (49); thence with one meander and one line of the Treadaway Tract (49) South 23-50 East 1.04 chains; South 62-40 East 2.37 chains; South 51-29 East 3.46 chains; North 83-25 East .38 chains; South 52-20 East 1.36 chains; South 59-17 East, 1.51 chains; South 58-00 East 2.10 chains; South 30-01 East 2.94 chains; South 20-37 East 2.61 chains; South 8-17 East 2.19 chains; South 18-58 East 2.54 chains to the BEGINNING.

### TRACT NO. 3

BEGINNING at corner 1, which is corner 3 of the M. W. Beck Tract (41), a point in the Indian Boundary line; thence with a line of the M. W. Beck Tract (41) South 4-33 West 23.94 chains, corner 2 which is corner 2 of the J. H. Beck Tract (46), a point in the old Beck line, set a post scribed B, a 14" spanish oak, blazed and scribed B.T.-B, bears South 75-00 East .20 chain distant; thence with lines of the J. H. Beck Tract (46) South 4-40 West 16.11 chains, corner 3, a point at corner of wire fence with a sourwood witness; North 11-42 East 7.64 chains, corner 4, a 20" chestnut oak with old marks on a spur ridge, a 12" chestnut oak, blazed and scribed B.T. bears North 14-00 West .18 chain distant North 33-21 East 12.06 chains, corner 5, a 30" black oak, with corner marks, on the divide between Tow String Creek and Beck Branch; thence with lines of the William Johnson Tract (43) North 13-52 West 7-01 chains, corner 6, a post with witnesses on the divide between Tow String Creek and Beck Branch, a 14" spanish oak, blazed and scribed B.T. Bears South 17-00 East .30 chain distant North 27-15 East 8.19 chains, corner 7, a spanish oak with corner marks and witnesses on the Indian Boundary line; thence North 40-47 West with the Indian Boundary line 10.76 chains, the place of BEGINNING, containing 15.64 acres.

And also including all of the right, title and interest of the said Mariah Thomas Long, Lunatic, in and to that portion of Grant No. 224, which was issued to William H. Cathcart, which portion is covered by and is included within the area of the Great Smoky Mountains National Park, as surveyed by the North Carolina Park Commission in 1927.

4. That said lands consist of mountain lands and the said tracts hereinabove described are not contiguous, and your petitioner believes and so alleges that it would be to the best interest of said lunatic to sell the same and convert the same into cash, which is necessary for her maintenance and support.

5. That the North Carolina Park Commission, which is an agency of the State of North Carolina for the purpose of acquiring lands to be included within the area of the Great Smoky Mountains National Park, has offered to your petitioner the sum of \$75.00 for the interest of said lunatic in the lands above described; that

heretofore the said North Carolina Park Commission has acquired by deeds of conveyance from all of the other heirs of William H. Thomas, deceased, the remaining interests in said lands upon the same basis of value, and the deeds therefor are of record in Swain County; that your petitioner believes that the sum so offered by the State of North Carolina, to wit, the sum of \$75.00 for the one-eighteenth (1/18) interest of the said Mariah Thomas Long, Lunatic, is a fair compensation for said interest in said lands, and recommends to the Court that the proposition of the North Carolina Park Commission be accepted.

WHEREFORE, your petitioner prays that he be authorized and empowered, upon the payment of the said sum of \$75.00 by the said North Carolina Park Commission, to execute a good and sufficient deed in fee simple as such guardian to the State of North Carolina for the interest of the said Mariah Thomas Long, Lunatic, in said lands.

(Signed) Wm. H. Thomas III, Gdn.  
Guardian of Mariah Thomas Long,  
Lunatic.

NORTH CAROLINA, :  
SWAIN COUNTY. :

William H. Thomas, III, being first duly sworn, says that he has read the foregoing petition and that he knows the contents thereof; that the same is true of his own knowledge, except as to those things and matters therein alleged upon information and belief, and as to those matters he believes it to be true.

(Signed) Wm. H. Thomas III, Gdn.

Sworn to and subscribed before me  
this 1st day of December, 1930.

(Signed) A.K. Sanders  
Notary Public,  
Buncombe County, North Carolina.

(Seal)

My commission expires: Jan. 12, 1931.

NORTH CAROLINA,  
SWAIN COUNTY.

WILLIAM H. THOMAS, III, GUARDIAN OF  
MARIAH THOMAS LONG, LUNATIC,

A F F I D A V I T

Ex Parte.

J. S. Calhoun, being duly sworn, says that he is a resident of Swain County, North Carolina, and that he is familiar with lands in said county; that he is acquainted with the lands described in the petition filed herein and knows the location and value thereof; that said lands are separated and cannot in any practicable manner be actually divided tracts not valuable for cultivation, and that the payment of the sum of \$75.00 for the one-eighteenth (1/18) interest of said Mariah Thomas Long, Lunatic, would, in his opinion, be a fair and adequate price for the same, and that, in his opinion, it would be for the best interest of said lunatic that the same should be sold to the State of North Carolina upon said payment, and that it would be to the best interest of said lunatic that such sale should be made.

(Signed) J C Calhoun

Sworn to and subscribed before me

this 8 day of December, 1930.

(Signed) George H. Bramlett  
Notary Public,  
Buncombe County, North Carolina.

(Seal)

My commission expires: April 26, 1932.

WILLIAM H. THOMAS, III, GUARDIAN OF

MARIAH THOMAS LONG, LUNATIC,

A F F I D A V I T

Ex Parte.

Will W. Wiggins, being duly sworn, says that he is a resident of Swain County, North Carolina, and that he is familiar with lands in said county; that he is acquainted with the lands described in the petition filed here <sup>in</sup> and knows the location and value thereof; that said lands are separated <sup>and cannot in any practicable manner be actually divided</sup> tracts not valuable for cultivation, and that the payment of the sum of \$75.00 for the one-eighteenth (1/18) interest of said Mariah Thomas Long, Lunatic, would, in his opinion, be a fair and adequate price for the same, and that, in his opinion, it would be for the best interest of said lunatic that the same should be sold to the State of North Carolina upon said payment, and that it would be to the best interest of said lunatic that such sale should be made.

(Signed) Will W. Wiggins

Sworn to and subscribed before me  
this 8<sup>th</sup> day of Dec, 1930.

(Signed) George F. Brunlett  
Notary Public,  
Buncombe County, North Carolina.

(Seal)

My commission expires: April 16, 1932.

606 City Building,  
P. O. Box 1232,  
Asheville, N. C.

December 9, 1930.

Mr. V. A. Browning,  
Clerk Superior Court,  
Bryson City, N. C.

Dear Mr. Browning:

We are enclosing herewith certain papers in  
the case of William H. Thomas, III, Guardian of Mariah  
Thomas Long, Lunatic, Ex Parte, which we will thank you  
to file in your office.

Please send a statement of the costs in this  
proceeding to this office.

Very truly yours,

NORTH CAROLINA PARK COMMISSION

BY

Of Counsel.

ZW:S  
Encls.

606 City Building,  
P. O. Box 1232,  
Asheville, N. C.

December 11, 1930.

Register of Deeds,  
Swain County,  
Bryson City, N. C.

Dear Sir:

Please have the enclosed deed from William H. Thomas III, Guardian of Mariah Thomas Long (Lunatic), to the State of North Carolina, dated December 11, 1930, placed on record in your office, and oblige.

Yours very truly,

NORTH CAROLINA PARK COMMISSION

By

HKS  
Encl.

P. S. Please note that the deed has not yet been probated, so we will thank you to look after this for us.

North Carolina,  
Swain County.

In the Superior Court.

STATE OF NORTH CAROLINA,

-vs-

JUDGMENT

T. I. Hughes, A. H. Hughes, Hoy

Thomas and wife, Kitty Thomas,

et Al.

Whereas, in the above entititled cause a decree was duly and regularly entered by the Clerk of this Court on the 19th day of March, 1931, which said decree is duly recorded in the office of the Register of Deeds of Swain County, North Carolina, in Book No. 56, page 546 et seq., decreeing that the State of North Carolina is the owner of the various pieces, parcels and portions of land therein fully described; and

Whereas, Hoy Thomas and wife, Kitty Thomas, appealed from the amount allowed them by the jury of view or appraisers, and appealed from the judgment of the Clerk, affirming said award; and

Whereas, the petitioner, State of North Carolina, and the respondents and their attorneys have consented and agreed that the respondents, Hoy Thomas and wife, Kitty Thomas, be paid the sum of \$1400.00 for their said lands instead of and in lieu of the sum of \$1200.00 assessed and allowed by said jury of view and that said respondents withdraw their appeal in the above entititled action:

Now, therefore, by consent, it is considered, ordered and adjudged that said final decree hereinabove referred to be, and the same is hereby modified and amended so as to adjudge that the said Hoy Thomas and wife, Kitty Thomas, are entitled to an award in said sum of \$1400.00 above referred to; the same to be paid into the office of the Clerk of the Superior Court in accordance with and for the purposes provided in said decree heretofore entered in this action before the Clerk, and upon the payment thereof the State of

North Carolina is the owner in fee of said tracts of land, and the said Hoy Thomas and wife, Kitty Thomas, are adjudged thereafter to have and to hold no interest in the same.

It is further by consent ordered and adjudged that the State of North Carolina pay all court cost accrued.

This Monday, January 11th, 1932.

BY CONSENT:

V.A. Browning

Edwards & Leatherwood

Attorneys for State of  
North Carolina,

Frye & Jones

Attorneys for Hoy Thomas  
and Kitty Thomas.

North Carolina,  
Swain County,

I, V.A. Browning, Clerk of the Superior Court of Swain County, North Carolina, do hereby certify that the foregoing is a true and perfect copy of the consent decree entered before me, the said Clerk, on the 11th day of January 1932, as the same appears on file and records in my office.

In witness wherof, I have hereunto set my hand and official seal, this the 18 day of Jan. 1932

(SEAL)

V.A. Browning  
Clerk Superior Court,  
Swain County, North Carolina.

Filed for Registration at 10:15 o'clock  
A. M. Jan. 18 1932 and  
registered in the office of the Register of  
Deeds for Swain County, North Carolina, in  
Book 60 Page 169

Jan. 18 1932  
Frank D. Bryant  
REGISTER OF DEEDS

NORTH CAROLINA

SWAIN COUNTY.

T H I S D E E D, made on this the 28th day of April 1936, by and between William H. Thomas and wife Blanche L. Thomas, Love T. Hughes and husband G.E. Hughes, ~~DeWitt Thomas and wife Francis J. Thomas, May Patton Stallcup and husband Glenn Stallcup, Josephine Patton Byrid and husband Henry Byrd, James Thomas Patton, (Single), W.T. Patton, widower and Bryan Thomas, single, by his Attorney in fact, G.E. Hughes, hereinafter called the GRANTORS and THE STATE OF NORTH CAROLINA, hereinafter called the GRANTEE:~~

W I T N E S S E T H

THAT the said grantors for certain good and valuable considerations moving them thereto, and particularly for the sum of FOUR HUNDRED FIFTY & -----00/100 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 and sell and convey unto the said grantee, its successors and assigns, the following described tracts of lands in Ocona Lufty Township, Swain County North Carolina, particularly described as follows:

FIRST TRACT Being known and designated, by the survey, made by the North Carolina Park Commission, as Champion Fibre Co. Tract 1-F.

BEGINNING at Corner 1, a 30" White Oak, with old marks and witnesses, on top of the divide between Couche's Creek and Ocona Lufty River, and in the Cathcart line, blazed and scribed C.B.Cor.2; thence down the ridge, with its meanders S.69-10 E.1.42 chains; S.81-21 E.4.57 chains; S.56-35 E.3.24 chains; S.63-15 E.3.97 chains; S.72-57 E.3.07 chains; S.57-01 E.4.28 chains; S.58-21 E.1.88 chains; S.53-38 E.3.92 chains to Corner 2, a Point on top of the ridge, a corner common to Cling Beck and W.W. Rogers; thence S.8-33 W.11.32 chains to Corner 3, a Chestnut Post, scribed W.R.Cor.11; thence S.24-42 E.2.66 chains to Corner 4, a Chestnut Post, scribed W.R.Cor.10; thence S.0-05 W.4.78 chains to Corner 5, a planted Stone, shown as the corner by T.L. Lovin, a corner common to W.W. Rogers and Tom Childers; thence N.87-35 W.16.08 chains to Corner 6, an Ashe Snag, shown by T.L. Lovin, in forks of small stream, scribed T.C.Cor.2; thence S.88-06 W.5.09 chains to Corner 7, a planted Stone, on top of a ridge, a corner common to Coburn and Tom Childers; thence N.47-35 W.18.19 chains to Corner 8, Post, scribed J.C.Cor.7; thence N.50-08 W.6.62 chains to Corner 9, a Black Oak Stump, with witnesses, and Corner of the Cathcart Grant 224; N.52-53 E.20.89 chains to the place of begining. Containing 78.79 acres.

SECOND TRACT Being Part of W.W. Rogers Tract 52

BEGINNING at Corner 13, of W.W. Rogers Tract 52, a Black Oak, scribed T.C.II. and runs West 11.50 chains to Corner 7, a Stake scribed W.R.C.VIII, a 4" Chestnut, scribed B.T.W.R.C.VIII? beras S.32-30 E.24 chains distance; thence N.89-44 W.1.62 chains to Corner 8, a planted Stone, which is corner 5 of Champion Fibre Co. Tract (1-F) thence with 3 lines of Tract (1-F) N.0-05 E.4.78 chains to Corner 9, a Chestnut Post, scribed W.R.Cor.10; thence N.24-42 W.2.66 chains to Corner 10, a Chestnut Post, scribed W.R.Cor.11; thence N.8-33 E.11.32 chains to Corner 11, a Point on the ridge top, being Corner 2 of Champion Fibre Co. Tract (1-F) and a point in the line of Beck Tract (47); thence with the Beck Tract (47) S.50-04 E.3.26 Chains to Corner 12, a Chestnut Stake, in place of

an old Hickory, scribed C.B.Corr.III, on top of the ridge a corner of Calloway Treadway Tract (49); thence with one meander and one line of Tract (49) S.23-50 E.1.04 chains; S.62-40 E.2.37 chains; S.51-29 E 3.46 chains; S.83-25 E.0.38 chains; S.52-20 E.1.36 chains; S.59-17 E. 1.51 chains; S.58-00 E.2.10 chains; S.30-01 E.2.94 chains; S.20-37 E. 2.61 chains; S.8-17 E.2.19 chains; S.18-58 E.2.54 chains to the place of beginning. Containing 12 acres more or less. *This acreage should be 18.86 H.C.W.*

THIRD TRACT

Being W.H.Thomas Heirs Tract (42)

BEGINNING at Corner 1, which is corner 3. of the W.M.Bech Tract (41), a Point in the Indian Boundary line, then with a line of the W.M.Bech Tract (41) S.4-33 W.23.94 chains to Corner 2, which is corner 2 of the J.H.Bech Tract (46), a point in the old Beck line; a Post scribed B, a 14" Spanish Oak, blazed and scribed B.T.-B bears S.75-00 E..20 chains distance; thence S.4-40 W.16.11 chains to Corner 3, a Point at the corner of wire fence, with a Sourwood witness; thence N.11-42 E.7.64 chains to Corner 4, a 20" Chestnut Oak, with old marks, on a spur ridge, a 12" Chestnut Oak, blazed and scribed B.T.beras N.14-00 W. .18 chins distance; thence N.33-21 E.12.06 ghains to Corner 5, a 30" Black Oak, with Corner marks, on the divide between Two String Creek and Beck Branch; thence N.13-52 W.7.01 chains to Corner 6, a Post with witnesses, on the divide between Two String Creek and Beck Branch, a 14" Spanish Oak, blazed and scribed B.T.bears S.17-00 E..30 chains distant; thence N.27-15 E.8.19 chains to Corner 7, a Spanish Oak, with corner maks and witnesses on the Indian Boundary line; thence N.40-47 W., with the Indian Boundary line, 10.76 chains to the place of begining. *Comhaing* 15.64 acres.

NOTE All bearings in the above descriptions, were turned from the true meridian and all distances are expressed in chains of 66 feet.

ALSO the said GRANTORS do by these presents remise, release and forever quit-claim unto the said GRANTEE, all their right, title and interest in that part of State Grant No.224 to William H.Cathcart, that is covered by the Great Smoky Mountain Park, as designated by a survey, made by the North Carolina Park Commission, in the year 1927., It being the intent of this deed to convey the undivided one-third interst of the said GRANTORS ~~in the three above~~ described tract of land, with covenants of warranty, and to QUIT-CLAIM any interest that may have in the remainder of said Grant No.224, as above described.

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

The grantors covenant to and with the grantee, its successors and assigns: That they are the owners of the , three above described tract of land, and are seized of said premises in fee; that they have a good right to convey the same in fee-simple; that said premises are and clear from all incumbrances; and they will forever warrant and defend the title, to the three tract above described, against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hand and seal, on the day and year first above written.

P. M. H. Thomas (SEAL)

Blanche L. Thomas (SEAL)

Lee Hughes (SEAL)

G. E. Hughes (SEAL)

(SEAL)

Dr. M. H. Thomas (SEAL)

Frances J. Thomas (SEAL)

May Patton, Stallcup (SEAL)

Glenn Stallcup (SEAL)

Josephine Patton Bird (SEAL)

Henry Byrd (SEAL)

James Logan Patton (SEAL)

Bryan Thomas Byrd

By G. E. Hughes (SEAL)

Attorney in Fact.

W. T. Pollow (SEAL)

STATE OF WEST VIRGINIA, ::

COUNTY OF Webster ::

I, Ralph N. M. Laughlin a Notary Public of Webster County, West Virginia, do hereby certify that GLENN STALLCUP personally appeared before me this day and acknowledged the due execution of the instrument hereto attached.

Witness my hand and Notarial Seal, this 10th day of May,  
A. D. 1930.



Ralph N. M. Laughlin

My commission expires Apr. 5th 1939

May

1930.

Witness my hand and notarial seal on this the 10th day of

Hill M. Higgins  
Notary Public.

M. H. Thomas (SEAL)

Blanchard Thomas (SEAL)

Dr. L. L. Tidwell (SEAL)

G. E. Hughes (SEAL)

(SEAL)

De Witt Thomas (SEAL)

Frances J. Thomas (SEAL)

May Patton, Stallcup (SEAL)

Glenn Stallcup (SEAL)

Josephine Patton Byrd (SEAL)

Henry Byrd (SEAL)

James Logans Patton (SEAL)

By Bryan Thomas (SEAL)  
G. E. Hughes (SEAL)  
Attorney in Fact.

W. T. Patton (SEAL)

NORTH CAROLINA

JACKSON COUNTY.

I, Will W. Wiggins, a Notary Public of Swain County, North Carolina, do here by certify that, Glenn Stallcup and wife May Patton Stallcup, Henry Byrd and wife Josephine Patton Byrd, W. T. Patton, widower and James Thomas Patton, single, personall appeared before me this day and acknowledged the due execution, by them, of the foregoing deed of conveyance, for the purposes therein expressed; and the said May Patton Stallcup, wife of Glenn Stallcup and Josephine Patton Byrd, wife of Henry Byrd, being by me privately examined, seperate and apart from their said husbands, touching their voluntary execution of the same, doth sate, each for herself, that they signed the same freely and voluntarily, without fear or compulsion of their said husbands or any one else and that they do still voluntarily assent thereto.

Witness my hand and notarial seal on this the 30th day of

May 1930.

Will Wiggins  
Notary Public.