

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

July 8, 1929.

REPORT ON THE WILLIAM JOHNSON TRACT - NO. 143, 32.82 ACRES.

LOCATION: This tract is located on Toe String Creek, a small creek running into Oconalufty River below Smokemont, and joins the lands of other small property owners in that section.

DESCRIPTION: A small mountain farm, the land being steep.

IMPROVEMENTS: A two-room log house and a small grist mill. Ten acres cleared and the balance in woodland.

<u>VALUATION:</u>	House	\$100.00
	Corn mill	200.00
	8 acres hillside, cleared	120.00
	4 acres cleared land	80.00
	21 acres woodland	200.00
	Total	\$700.00

The option price being \$700.00, the appraisers ask your approval.

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 43.

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.....:

William G. Johnson

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

ENCUMBRANCES

1. Subject to taxes.

2. While the record title to this tract is not entirely complete, it has been under long continuous adverse possession for at least fifty years and we think the title is good in the present claimant, William G. Johnson.

OK
WR

P. O. Box 1232,

Ashoville, N.C.

July 22, 1929.

Mr. William Johnson,
Ravensford, N. C.

Dear Sir:

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

Yours very truly,

NORTH CAROLINA PARK COMMISSION.

NORTH CAROLINA PARK COMMISSION

COMMISSION ON THE PART OF NORTH CAROLINA FOR THE PURPOSE OF
PRESENTING THE CLAIMS OF NORTH CAROLINA FOR A NATIONAL PARK

EUGENE C. BROOKS, RALEIGH
D. M. BUCK, BALD MOUNTAIN
JOHN G. DAWSON, KINSTON
PLATO EBBES, ASHEVILLE
R. T. FOUNTAIN, ROCKY MOUNT

MARK SQUIRES, CHAIRMAN, LENOIR
EUGENE C. BROOKS, SECRETARY, RALEIGH

J. A. HARDISON, WADESBORO
FRANK LINNEY, BOONE
J. ELMER LONG, DURHAM
HARRY NETTLES, BILTHORE
E. S. PARKER, JR., GREENSBORO
MARK SQUIRES, LENOIR

Bryson City, N. C.,

July 5, 1929.

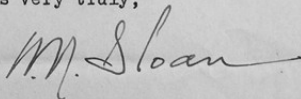
Mr. Verne Rhoades,
Executive Secretary,
Asheville, N. C.

Dear Mr. Rhoades:

Mr. John Calhoun has secured
an Option on the William Johnson Tract No. 43,
at \$700.00. We will have this Option recorded
today.

Yours very truly,

WNS:D



of

Lands of WILLIAM JOHNSONCOCHA LETTTownship SWA IN

STATE OF NORTH CAROLINA

DESCRIPTION

TRACT

(43)

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 the Cocha Luffy River, North of Toe String Creek.

Beginning at Corner 1, which is corner 5 of both the J. H. Beck Tract (46), and Tract (42), being a 30" black oak on divide between Toe String Creek and Beck Branch, with corner marks.

Thence, with 6 lines of the J. H. Beck Tract.

S. 36-37 E.

3.68 Corner 2, a small black gum at corner of wire fence, with corner marks.

Thence, S. 6-50 W.

5.69 Corner 3, a 30" spanish oak with marks in wire fence.

Thence, S. 4-10 E.

6.55 Corner 4, a planted stone with witnesses.

A 12" Black Oak bears N. 46-00 E. .15 chain distant.

Thence, N. 73-07 E.

5.77 Corner 5, a White Oak in corner of fence.

Thence, S. 49-28 E.

6.71 Corner 6, also a corner of the Cole Treadaway Tract (45),

Thence, N. 2-21 E.

3.71 Corner 7, a rock on S. E. bank of Toe String Creek shown by Wm. Bradley, a common corner with the Wm. Bradley Tract (44).

Thence, up the meanders or road, along the West bank of Toe String Creek.

N. 46-24 E.

4.16 A Point.

N. 79-57 E.

.80 A Point.

N. 31-34 E.

3.73 A Point.

N. 1-23 W.

2.29 Corner 8, an iron pipe, marked "William Bradley Cor." at intersection with a line of the 1232 Acre tract of Indian land.

Thence, N. 40-47 W.

17.92 Corner 9, a planted stone with witnesses.

Thence, N. 37-39 W.

7.57 Corner 10, a spanish oak with corner marks and witnesses.

Thence, S. 27-15 W.

8.19 Corner 11, a 30" black oak with corner marks, on the divide between Toe String Creek and Beck Branch.

Thence, S. 13-52 E.

7.01 The place of beginning, containing 32.82 acres.

Analysis of Title

Tract No. 43.

1. Tract No. 43 is covered by Grant No. 224 to William Cathcart and the title to the lands embraced therein passed by mesne conveyances from him to W. H. Thomas as fully shown heretofore in this Abstract on pages 169 to 182 inclusive.
2. Thereafter on January 27, 1904, James R. Thomas Administrator and Commissioner of W. H. Thomas, Sr. conveyed to W. M. Bradley (Meaning William Bradley) a tract of land containing thirty-two acres, which includes tract No. 43 as well as thirteen acres belonging to tract No. 46. This deed is fully set out in the Abstract of Title of Tract No. 46 and is shown on page 319 hereof.
3. On September 29, 1911, William Bradley and wife conveyed to W.G. Johnson, a tract of land containing forty-two acres, which embraces tract No. 43, by deed duly executed and registered in Swain County. W.G. Johnson is the same as William Johnson.
4. On March 12, 1914, J. H. Beck conveyed to W.G. Johnson a small tract of land containing three acres, more or less, located on the Toe String Branch and constituting the extreme south portion of tract No. 43. This deed is properly signed by J. H. Beck, but the certificate of acknowledgement does not contain his name. The officer taking the acknowledgement signs his certificate but omits the name of J. H. Beck. It is evident from this that the acknowledgement was taken and that the error is apparently an error of the Register of Deeds. Page 321 of Abstract. J. H. Beck's title to the three acre parcel of land conveyed by the preceeding deed is derived in the same way as is his title to tract No. 46, reference being hereby made to the Abstract of No. 46 and the Analysis of Title for the chain of title.

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 43

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.....:

William C. Johnson

.....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. A grant or grant and deeds should be shown covering the lands conveyed by Thomas M. Petit, by W. L. Brown, Agt. to John Beck, by deed dated March 26, 1844, as we have been unable to find any grant or deeds, conveying said property to the said Thomas M. Petit. Page 346 of Abstract of tract No. 46.

2. The deed of J. H. Beck to W. C. Johnson, dated March 12, 1914, conveying a small parcel of three acres, same being the southern end of tract No. 43, should be re-acknowledged by J. H. Beck, or the officer should correct his certificate and insert therein the name of J. H. Beck. The record of this deed does not disclose the name of J. H. Beck in the certificate, although the certificate is signed by the officer taking the acknowledgement.

3. Taxes for the year 1928, amounting to \$ 9.79 are outstanding and unpaid.

THIS DEED, Made this 2nd day of October A.D. 1929, by and between William Johnson and wife, Atha Johnson 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 -----SEVEN HUNDRED----- (\$700.00) 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. 43:

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 the Ocona Lufly River, North of Toe String Creek.

Beginning at corner 1, which is corner 5 of the J. H. Beck Tract (46) and Tract (42), being a 30" black oak on divide between Toe String Creek and Beck Branch, with corner marks; thence with six lines of the J. H. Beck Tract S. 36-37 E. 3.88 chains, corner 2, a small black gum at corner of wire fence, with corner marks; thence, S. 6-50 W. 5.69 chains, corner 3, a 30" spanish oak with marks in wire fence; thence S. 4-10 E. 6.55 chains, corner 4, a planted stone with witnesses, a 12" black oak bears N. 46-00 E. .15 chain distant; thence N. 73-07 E. 5.77 chains, corner 5, a white oak in corner of fence; thence S. 49-28 E. 6.71 chains, corner 6, a corner of the Cole Treadaway Tract (45); thence N. 2-21 E. 3.71 chains, corner 7, a rock on S. E. bank of Toe String Creek shown by Wm. Bradley, a common corner with the Wm. Bradley Tract (44); thence up the meanders of road, along the west bank of Toe String Creek N. 46-24 E. 4.16 chains; N. 79-57 E. .80 chains; N. 31-34 E. 3.73 chains; North 1-23 W. 2.29 chains, corner 8, an iron pipe, marked "William Bradley Cor." at intersection with a line of the 1232 acre tract of Indian land; thence N. 40-47 W. 17.92 chains, corner 9, a planted stone with witnesses; thence N. 37-39 W. 7.57 chains, corner 10, a spanish oak with corner marks and witnesses; thence S. 27-15 W. 8.19 chains, corner 11, a 30" black oak with corner marks, on the divide between Toe String Creek and Beck Branch; thence S. 13-52 E. 7.01 chains, the place of beginning, containing 32.82 acres.

Also all other piece, 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".

SIGNED, SEALED AND DELIVERED
in the presence of

William Johnson (Seal)
Atha Johnson (Seal)
(Seal)
(Seal)

STATE OF NORTH CAROLINA.....Swain.....COUNTY.

I, Will W. Wiggins, a Notary Public

do hereby certify that William Johnson

and Atha Johnson

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Atha Johnson, 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 Official seal this 2nd day of October, A.D. 1929

Will W. Wiggins
Notary Public.

My commission expires December 19, 1930.

Warranty Deed

William Johnson and wife
TO
THE STATE OF NORTH CAROLINA

Consideration - - - \$700.00

Dated 2nd day of Oct., 1929.

Filed for registration on the 3
day of Oct., 1929, at 8:16
o'clock A.M., and registered in the office
of the Register of Deeds for

Swain

County, North Carolina, on the 3
day of Oct., 1929, in Book
No. 58 of Deeds, at page 439

Ellis Burnett
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 certificate
be registered.

This 3 day of Oct. A.D. 1929

W. A. Brounning
Clerk Superior