

DESCRIPTION OF THE BOUNDARY

OF THE

W. H. QUEEN TRACT (56)

Lying on the West side of Ocona Lufty River, below the mouth of Couches Creek.

Beginning at Corner 1, which is Corner 1 of the H. K. Revis Tract (53), an 8" hickory with old marks, blazed and scribed C. Cor. IV.

Thence, with four lines of the H. K. Revis Tract (53).

S. 3-11 W.

21.92 Corner 2, a pine with old corner marks on top of a ridge.

N. 86-01 W.

15.26 Corner 3, a chestnut post scribed R. Cor. III.

A 20" chestnut, blazed and scribed B.T.-R.Cor.III, bears S. 21-30 W. .28 chain distant.

S. 2-32 W.

11.64 Corner 4, a chestnut post scribed R. Cor. IV.

A 15" black oak, blazed and scribed B.T. R-Cor. IV. bears N. 14-00 W. .15 chain distant.

N. 39-28 W.

31.01 Corner 5, which is Corner 7 of the Tom Childers Tract (51), a planted stone beside a 5" chestnut, scribed W.R.C. V. on a ridge.

Thence, with the meanders of the ridge, a line of the Tom Childers Tract (51).

S. 69-45 W.

5.14 A Point.

N. 64-49 W.

2.23 A Point.

S. 84-19 W.

4.94 A Point.

S. 80-29 W.

5.96 Corner 6, a stake scribed F. F. Cor. IX.

Thence, S. 19-10 E.

5.88 Corner 7, a 24" dead post oak.

Thence, S. 13-11 E.

8.25 Corner 8, a chestnut post, beside a dead pine with old marks, scribed F.F.-X.

Thence, down a spur ridge, with its meanders.

S. 76-16 E.

6.30 A Point.

S. 50-16 E.

4.97 A Point.

S. 53-26 E.

1.88 A Point.

S. 47-35 E.

4.48 A Point.

S. 41-12 E.

4.06 A Point.

S. 37-13 E.

2.22 A Point.

S. 17-31 E.

5.92 A Point.

S. 43-21 E.

1.18 Corner 9, a locust post, scribed F.F. Cor. XI, in an old maple stump, on bank of a stream.

Thence, S. 48-48 E.

3.77 Corner 10, a sourwood post scribed F.F. Cor. XII.

A 10" sourwood, scribed B.T. F.F. Cor. XII, bears N. 60-00 E. .14 chain distant.

Thence, S. 79-58 E.

20.39 Corner 11, a point with old witnesses at fence corner.
Set a post scribed F.F. Cor. XIII.

Thence, S. 5-40 W.

2.50 Corner 12, common to C.C. Nations and W. H. Queen, and
in F.F. Floyd's line.

Thence, N. 58-37 E.

3.36 Corner 13, a fence post on bank of small stream.

Thence, down the stream with its
meanders.

S. 39-20 E.

7.79 A Point.

S. 69-54 E.

1.28 A Point.

S. 50-55 E.

2.77 A Point.

S. 87-41 E.

3.30 Corner 14, a point where public road crosses branch.

Thence, with the meanders of the road.

S. 18-12 W.

2.56 A Point.

S. 65-01 W.

1.71 Corner 15, a point at intersection with F.F. Floyd's
line.

Thence, S. 87-21 E.

5.00 Ocona Lufty River flows S. 64-00 W.

9.75 Corner 16, a stake near the railroad.

Thence, S. 70-33 E.

10.04 Corner 17, a black oak stump with witnesses, on top of
ridge.

Thence, up the ridge, with its meanders.

N. 70-49 E.

- 4.15 Corner 18, a chestnut oak stump with dogwood witnesses.
N. 60-25 E.
- 4.32 A Point.
N. 48-03 E. N. 48-03 E.
- 3.18 A Point.
N. 52-23 E.
- 1.28 Corner 19, a point with a chestnut oak witness.
Set a post scribed N-C-Q.
N. 34-30 E.
- 5.11 Corner 20, a red oak stump.
N. 55-26 E.
- 2.35 Corner 21, a black oak stump on a ridge.
Set a sassafras post scribed Q-C-C.
N. 26-08 E.
- 1.78 Corner 22, a chestnut with corner marks.
N. 4-33 E.
- 3.25 Corner 23, a hickory with corner marks and witnesses.
N. 28-46 E.
- 3.49 A Point.
N. 56-12 E.
- 2.91 A Point.
N. 3-32 W.
- 3.64 Corner 24, which is Corner 4 of the M.B. Enloe Tract (57), a point at corner of fence.
Thence, with two lines of the M. B. Enloe Tract (57).
N. 13-00 E.
- 26.24 Corner 25, a 24" black oak, with corner marks and witnesses.
An 18" white oak, blazed and scribed B.T. bears N. 57-00 E. .35 chain distant.

N. 0-27 W.

- 2.54 Corner 26, which is Corner 3 of the J.A. Chambers Tract (55) a point at intersection of old marked lines.

Set a post scribed C. on N. E. side, and Q on S.W. side.

A 12" white oak, blazed and scribed B.T. bears S. 45-00 E.
.16 chain distant.

Thence, with three lines of the J. A.
Chambers Tract (55).

S. 75-03 W.

- 16.35 Corner 27, a 12" black gum beside fence, identified as his corner by Mr. Chambers.

A 14" white oak, blazed and scribed B.T. bears S. 46-00 W.
.15 chain distant.

S. 88-01 W.

- 11.31 Corner 28, a large rock in East edge of Oona Lufty River.

N. 34-19 W.

- 11.27 Corner 29, a point in the public road, and on west bank of river, shown by J.A.Chambers as his corner.

Thence, with two lines of the Leary Connor
Tract (54).

N. 42-13 W.

- 9.40 Corner 30, a fence post, scribed C. Cor. V. where originally stood a dogwood corner.

N. 85-28 W.

- 10.72 The place of beginning, containing 356.20 acres.

Analysis of Title.

Tract No. 56.

Tract No. 56 belongs to W. H. Queen and is located on both sides of the Ocona Luffy River. It is covered by grants No.s 8486, 203 and 224 and possibly other grants not yet found.

1. On April 3, 1888, W. H. Queen obtained a grant from the State of North Carolina for 278 acres of land on Ocona Luffy River, same being Grant No. 8486. This Grant is located on the west side of the Ocona Luffy River and covers the western portion of Tract No. 56. This Grant is located as shown on the plat.
Page 568 of Abstract.

2. On October 5, 1855, Rufus G. Floyd obtained a grant from the State of North Carolina for a tract of land on the waters of Ocona Luffy River. This Grant is located immediately east of Grant No. 8486 as will appear by reference to the plat.
Page 569 of Abstract.

3. On August 24, 1876, R. G. Floyd and wife conveyed the lands embraced in Grant No. 203 to James S. Queen by deed executed and registered in Swain County. Page 570 of Abstract.

4. The portion of the tract lying immediately east of No. 203 is covered by deed from Francis Floyd to Rufus G. Floyd, dated November 14, 1866. This deed is supposed to convey 250 acres of land and its location will appear by reference to the map. So far we have been unable to find any grants or deeds to Francis Floyd for this tract of land. This deed is duly executed and registered in Jackson County. Page 572 of Abstract.

5. On August 24, 1876, R. G. Floyd and wife conveyed to James Queen a tract of land containing 250 acres, the same being the lands described in the foregoing deed. This deed is duly executed and registered in Swain County. Page 573 of Abstract.

6. On May 14, 1877, James S. Queen and wife conveyed to William H. Queen two tracts of land. The first tract being the same lands described in the next preceding deed and the second being the same lands as are in Grant No. 203, aforesaid. This deed is properly executed and is registered in Swain County.
Page 574 of Abstract.

7. The remaining portion of Tract No. 56 is covered by a deed from James R. Thomas, Administrator of William H. Thomas, Deceased to L. P. Hyde, dated January 5, 1899. This deed conveys twenty-six acres, located along the eastern boundary of tract No. 56. This deed is properly executed and is registered

in Swain County. (page 575 of Abstract). William H. Thomas claimed title to this tract of land under and by virtue of Grant No. 224 to William Cathcart and by mesne conveyances from the State's Grantee, as will appear by reference to the Abstract of Tract No. 11, shown on pages 169 to 182 inclusive.

8. On April 28, 1899, P. L. Hyde and husband W.P. Hyde attempted to convey to W. H. Queen fifteen acres of land, being the portion of the lands conveyed to P. L. Hyde by the next preceding deed. This fifteen acre tract is located in the extreme south east corner of Tract No. 56. The deed is properly executed with the exception that W.P. Hyde's name does not appear in the body of the instrument, although he signs and acknowledges same. Page 576 of Abstract.

9. On May 29, 1899, P.L. Hyde and her husband, W. P. Hyde, attempted to convey to W. H. Queen ten acres of land being a part of the Tract conveyed to the said P. L. Hyde by the said James R. Thomas, Administrator. This ten acre tract is located north of the Tract described in the preceding deed. This deed is properly executed except that the name of W. P. Hyde does not appear in the body of the instrument, although he signs and acknowledges same. Page 577 of Abstract.

10. On August 30, 1899, P. L. Hyde and her husband, W. P. Hyde convey to W. H. Queen forty acres of land, being the larger and southern portion of the Tract conveyed by James R. Thomas, Administrator, to P. L. Hyde. This deed is duly executed and registered in Swain County. Page 578 of Abstract.

11. On April 13, 1903, W. P. Hyde and wife P. L. Hyde conveyed to W. H. Queen a tract of land containing fifteen acres being the northern part of the tract conveyed by James R. Thomas Administrator, to P. L. Hyde, aforesaid. This deed is properly executed and is registered in Swain County. Page 579 of Abstract.

12. On July 18, 1917, S. A. Queen, widow and others, heirs at law of W. H. Queen executed to the Ocona Luffy Railroad Company a deed for a thirty foot right of way through and over the lands of the grantors. This right of way was given for the purpose of constructing and maintaining a railroad as a common carrier. Page 580 of Abstract.

13. On September 28, 1905, W. H. Queen and wife S.A. Queen conveyed to W. A. McLaughlin a tract of land containing seven and one-half acres, which tract passed by mesne conveyances to C. C. Nations, the present owner thereof. These deeds appear in the Abstract of Title of Tract No. 109.

14. Since writing paragraph 4, we have found a deed from James Jones to Fanny Floyd, dated Nov. 1, 1837, which deed covers the same land as the deed from Francis Floyd to Rufus G. Floyd. This deed is registered in Haywood County. Page 571 of Abstract.

15. Since writing the foregoing we have found two additional deeds which cover the same lands as were conveyed to James Jones and Fannie Floyd by deed dated November 1, 1837, said deeds are as follows:

(a) John Hyde to Christopher Nichols dated January 15, 1833 for 250 acres and duly recorded in Haywood County. Page 570-a of Abstract.

(b) Christopher Nichols to James Jones dated October 2, 1837 for 250 acres and duly recorded in Haywood County. Page 570-b of Abstract.

ABSTRACT OF DEED OR GRANT

Grantors
Grantees

In Preamble

As Signed

As Acknowledged

North Carolina

W. H. Queen

- | | |
|---|--|
| <p>1. Kind of Conveyance..... State Grant #8486</p> <p>3. Is it properly executed..... Yes</p> <p>5. Before what Officer acknowledged.....</p> <p>7. If irregular, copy in full on back.....</p> <p>9. Date of acknowledgment.....</p> <p>11. Did officer affix Seal.....</p> <p>13. Does conveyance contain covenants—</p> <p> (a) of seizin.....</p> <p> (b) power to convey.....</p> <p> (c) against encumbrances.....</p> <p> (d) against claims of all others.....</p> <p>17. Habendum clause (Quote fully).....</p> | <p>2. Date of Conveyance..... 4-3-88</p> <p>4. Date of Entry and No.....</p> <p>6. Acknowledgments, regular.....</p> <p>8. Did all grantors acknowledge.....</p> <p>10. Was privy examination of wife taken.....</p> <p>12. Was order of probate correct.....</p> <p>14. Date of filing for record..... December 18, 1888</p> <p>15. Book 10 Page 330
 for Swain County.</p> <p>16. Does deed contain any special limitations, provisions or restrictions.....</p> |
|---|--|

Exact Description of Property

277 acres on Ocona Lifty River:

Beginning on Wm. J. Bradley's yellow pine corner, runs North 45 West 80 poles to a chestnut, Wm. Bradley's beginning corner in Horace Cass; thence North 72 East with the meanders of the ridge between Couches and Hingus Creeks 192 poles to a Black Oak in Horace Cass line in the Brown speculation line; thence South 45 East with said Brown line 204 poles to a stake in the line of Entry 1286; then South 116 poles to a chestnut, then East 64 poles to a stone, the beginning corner of Entry 1286 and Grant No. 203; then South 55 West 87 poles to a small B. Oak in Hingus line; then North 38 West with Wm. Bradley's line 98 poles to a B. Oak, Wm. Bradley's corner; then North 60 West 234 poles to the beginning.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	North Carolina		
Grantees	Rufus G. Floyd		

- Kind of Conveyance.....
- Date of Conveyance.....
- Is it properly executed..... **Grant #203**
- Date of Entry and No. **11-5-55**
- Before what Officer acknowledged **Yes**
- Acknowledgments, regular.....
- If irregular, copy in full on back.....
- Did all grantors acknowledge.....
- Date of acknowledgment.....
- Was privy examination of wife taken.....
- Did officer affix Seal.....
- Was order of probate correct.....
- Does conveyance contain covenants **Yes**
- Date of filing for record.....
- (a) of seizin.....
- Book **A-1** Page **525**
- (b) power to convey.....
- for **Jackson** County.
- (c) against encumbrances.....
- Does deed contain any special limitations, provisions or restrictions.....
- (d) against claims of all others.....
- Habendum clause (Quote fully).....

Exact Description of Property

A tract of land containing fifty Acres lying and being in the County of Jackson on the waters of Oconalufita River. Beginning at a White Oak in the West boundary line of the Floyd's land, at Mingus corner and runs West with that line sixty four poles to a stake; thence North one hundred and seventy six poles to a stake; then East sixty four poles to a stake in Floyd's line near a Pine Gap; then South with that line one hundred and twenty six poles to the beginning. Entered the 19th day of December 1854, as by the plat hereunto annexed doth appear, together with all woods, ways, mines, minerals, hereditaments and appurtenances to the said land belonging or appertaining.

ABSTRACT OF DEED OR GRANT

Grantees

In Preamble

As Signed

As Acknowledged

R. G. Floyd and wife
Sarah A. Floyd

R. G. Floyd
S. A. Floyd

R. G. Floyd
S. A. Floyd

James S. Queen

- | | |
|---|---|
| <p>1. Kind of Conveyance..... Deed</p> <p>3. Is it properly executed..... Yes</p> <p>5. Before what Officer acknowledged..... Judge of Probate</p> <p>7. If irregular, copy in full on back.....</p> <p>9. Date of acknowledgment..... 8-21-76</p> <p>11. Did officer affix Seal.....</p> <p>13. Does conveyance contain covenants—</p> <p> (a) of seizin</p> <p> (b) power to convey.....</p> <p> (c) against encumbrances.....</p> <p> (d) against claims of all others.....</p> <p>17. Habendum clause (Quote fully)..... To have and to hold the aforesaid tract or parcel of land with all appurtenances thereunto to the said James S. Queen and his heirs to his and their only use and behoof forever.</p> | <p>2. Date of Conveyance..... 8-21-76</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..... Yes</p> <p>12. Was order of probate correct..... Yes</p> <p>14. Date of filing for record..... 8-26-76</p> <p>15. Book..... 1..... Page..... 373
for..... Swain..... County.</p> <p>16. Does deed contain any special limitations, provision or restrictions</p> |
|---|---|

Exact Description of Property

A certain tract or parcel of land lying and being in the County of Swain in the State of North Carolina and bounded as follows, to-wit: Beginning at a white oak in the West boundary line of the Floyd lands at Hingus corner and runs West with that line 64 poles to a stake; then North 126 poles to a stake; then East 64 poles to a stake in the Floyds line near a Pine Gap; then South with that line 126 poles to the beginning. This tract being Entry #1283, Grant #203, entered the 19th day of December, 1864. Containing fifty acres.

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

Grantors

John Hyde

Grantees

Christopher Nichols

1. Kind of Conveyance Deed
2. Date of Conveyance 1-15-33
3. Is it properly executed yes
4. Date of Entry and No. yes
5. Before what Officer acknowledged clerk
6. Acknowledgments, regular yes
7. If irregular, copy in full on back yes
8. Did all grantors acknowledge yes
9. Date of acknowledgment Sept. Term 1837
10. Was privy examination of wife taken yes
11. Did officer affix Seal no
12. Was order of probate correct yes
13. Does conveyance contain covenants no
14. Date of filing for record 10-11-37
- (a) of seizin no
15. Book C Page 570
- (b) power to convey no
- for Hayward County.
- (c) against encumbrances no
16. Does deed contain any special limitations, provisions or restrictions no
- (d) against claims of all others yes
17. Habendum clause (Quote fully) None

Exact Description of Property

On - left hand fork - Oconee Lefty River on both sides - sd river:

Beg at lower end of Gunter's falls at mouth of branch on - cond. - made by Jesse Colwell & Wm Welch runs as follows, W. 51 f to a black oak; th N. 264 f to a hwy; th E. 46 f to a sp. o.; th S. 60° E. 70 f to a hwy; th 40° E. 80 f to a x. on - E. bank of river; th E. 45 f to a hwy; th S. 280 f to a hwy; th S. 50° W. 40 f to a w.o.; th xing - river 76 f to - hwy supposed to be 200 A. runs

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Christopher Michael		
Grantees	James Jones		

1. Kind of Conveyance *good*
3. Is it properly executed *yes*
5. Before what Officer acknowledged *yes*
7. If irregular, copy in full on back
9. Date of acknowledgment *Sept 2nd. 1837*
11. Did officer affix Seal *no*
13. Does conveyance contain covenants—
 - (a) of seizin *no*
 - (b) power to convey *no*
 - (c) against encumbrances *no*
 - (d) against claims of all others *yes*
2. Date of Conveyance *10-2-37*
4. Date of Entry and No.
6. Acknowledgments, regular *yes*
8. Did all grantors acknowledge *yes*
10. Was privy examination of wife taken
12. Was order of probate correct *yes*
14. Date of filing for record *10-11-37*
15. Book *C* Page *571*
for *Hayward* County.
16. Does deed contain any special limitations, provisions or restrictions *no*
17. Habendum clause (Quote fully) *None*

Exact Description of Property

Same as in deed rec in Bk C-570

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Jas. Jones		
Grantees	Fanny Floyd		

- Kind of Conveyance *Deed*
- Date of Conveyance *Nov. 1, 1837*
- Is it properly executed *yes*
- Date of Entry and No.
- Before what Officer acknowledged *ccr*
- Acknowledgments, regular *yes*
- If irregular, copy in full on back
- Did all grantors acknowledge *yes*
- Date of acknowledgment *Sept 5th 1837*
- Was privy examination of wife taken *yes*
- Did officer affix Seal
- Was order of probate correct *yes*
- Does conveyance contain covenants—
- Date of filing for record *10-9-37*
- (a) of seizin
- Book *C* Page *578*
- (b) power to convey *Special Warranty*
- for *Hogwood* County.
- (c) against encumbrances
- Does deed contain any special limitations, provisions or restrictions *none*
- (d) against claims of all others
- Habendum clause (Quote fully)

Exact Description of Property

On Ocena Sufty River:
 Bdy. at - lower end v Gentry Falls at mouth
 v Br. on - Cond. — made by Jesse Cornwell +
 Wm Melchior as follows, W. 51 ft to a B.O.
 th N 264 ft to a Hy; th E. 56 ft to a St. o.
 th 60° E 20 ft to a B.O.; th 40° E 80
 ft to a X on the — bank v river; th
 E. 45 ft to a Hy; th S. 280 ft to a Hy
 th S. 50° W 40 ft to a W.O.; th Xing —
 river 76 ft to — — supposed to be
 250 A. mms

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Francis Lloyd	Francis Lloyd	Francis Lloyd
Grantees	Rufus G. Lloyd		

- Kind of Conveyance *Warranty Deed*
- Date of Conveyance *11-14-66*
- Is it properly executed *Yes*
- Date of Entry and No.
- Before what Officer acknowledged *Elk.*
- Acknowledgments, regular *Yes*
- If irregular, copy in full on back
- Did all grantors acknowledge *Yes*
- Date of acknowledgment *11-28-68*
- Was privy examination of wife taken *-*
- Did officer affix Seal *No*
- Was order of probate correct *Yes*
- Does conveyance contain covenants
- Date of filing for record *11-28-68*
- (a) of seizin *No*
- Book *H.* Page *233*
- (b) power to convey *No*
- for *Jackson* County.
- (c) against encumbrances *No*
16. Does deed contain any special limitations, provisions or restrictions
- (d) against claims of all others *Yes*

17. Habendum clause (Quote fully) *To have and to hold the said land and premises and all and singular the tenements, hereditaments, woods, ways, waters, mines, minerals, improvements, rents, issues, profits, revenues, franchises, privileges and appurtenances thereto belonging or in any wise belonging to him the said Rufus G. Lloyd his heirs and assigns to him and their own proper use and behoof forever.*

Exact Description of Property

On the West of Secura Lefty, Adg. the lands of Mrs. Minger and Joel Connor, bounded as follows

Begin at the lower end of the Gentry Falls at the mouth of the branch on the Conditional line made by Jesse Cammell & Wm Welch runs as follows: West 51 ft to a B.O.; then N. 264 ft to a Hvy.; then E. 46 ft to a sp. o.; then S. 60° E 20 fms to a black oak; then S. 40° E 80 fms to a slab on the E. bank of the river; then E 45 ft to a Hvy.; then S. 280 ft to a Hvy.; then S. 50° W. 40 ft to a W.O.; then Xing the river 76 fms to the Reg. Con 250 A. more or less

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

**R. G. Floyd and wife,
Sarah A. Floyd**

**R. G. Floyd
S. A. Floyd**

**R. G. Floyd
S. A. Floyd**

James Queen

1. Kind of Conveyance..... **Deed**
2. Date of Conveyance..... **8-24-76**
3. Is it properly executed..... **Yes**
4. Date of Entry and No..... **Yes**
5. Before what Officer acknowledged..... **Judge of Probate**
6. Acknowledgments, regular..... **Yes**
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge..... **Yes**
9. Date of acknowledgment..... **8-24-76**
10. Was privy examination of wife taken..... **Yes**
11. Did officer affix Seal.....
12. Was order of probate correct..... **8-23-76**
13. Does conveyance contain covenants—
14. Date of filing for record..... **1**
15. Book..... **Swain** Page..... **379**
- for..... **Swain** County.
16. Does deed contain any special limitations, provisions or restrictions.....
17. Habendum clause (Quote fully)..... **To have and to hold the aforesaid tract or parcel of land with all the appurtenances thereto belonging unto the said James S. Queen and his heirs to his and their only use and behoof forever.**

Exact Description of Property

A certain tract or parcel of land lying and being in the County of Swain and State of North Carolina and bounded as follows to wit: Beginning at the lower end of the Gunter Falls at the mouth of the Branch on the Conditional line made by Jesse Cornwell and Wm. Welch and runs as follows: West 51 poles to a Black oak; then North 264 poles to a hickory; thence East 46 poles to a spanish oak; then South 60 East 20 poles to a black oak; then — 40 East 80 poles to a stake on the East bank of the river; thence East 45 poles to a hickory; then South 180 poles to the top of a ridge in the fork of Luffy Hughes line on the top of the main ridge between Floyds and Hughes; then South 50 West 40 poles to a white oak; thence crossing the river 76 poles to the beginning, containing 250 acres more or less.

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

Grantors

Grantees

James S. Sullivan
Reginald A. Luce

✓

✓

William H. Luce

1. Kind of Conveyance Wor. Deed
3. Is it properly executed yes
5. Before what Officer acknowledged Prob Judge
7. If irregular, copy in full on back
9. Date of acknowledgment 5-14-77
11. Did officer affix Seal no
13. Does conveyance contain covenant—
 - (a) of seizin yes
 - (b) power to convey yes
 - (c) against encumbrances yes
 - (d) against claims of all others yes

2. Date of Conveyance 5-14-77
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 5-23-77
15. Book Swain Page 492
for Swain County.
16. Does deed contain any special limitations, provisions or restrictions none

17. Habendum clause (Quote fully) To have and to hold the above said tracts as parcels of land with all privs and appurs. thereto belonging unto the said Wm H. Luce his heirs and assigns forever.

Exact Description of Property

1st Tract Beginning at the lower end of the Quarter falls at the mouth of the branch, on the condition made by Jamie Cammwell and Edw. Welch runs thence West 51 ft. to a B. Oak; thence North 264 ft. to a Hickory; then East 46 ft. to a S. Oak; thence S. 60 E. 20 ft. to a Black Oak; thence - 40 E 80 ft. to a St. on the Oak bank of the river thence East 45 ft. to a Hickory; thence South 180 ft. to top of the ridge, in the fork of Luffy; thence line on top of main ridge between Floy & Hughes; thence S 50 W. 40 ft. to a white oak; thence & rig the river 76 ft. to beginning containing 250 acres more or less.

2nd Tract Beginning at a white Oak, in the west boundary line of the Floy land at Menager Camm and runs West, with that line 64 ft. to a Stake; then North 126 ft. to a Stake; then East 64 ft. to a Stake in Floy's line, near a Pine Gap. then South with that line 126 feet to the beginning containing 50 acres.

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

Grantors
Grantees

James H. Shannon
Adm. of
Wm H. Shannon

✓

Proven

L. R. Hyde

1. Kind of Conveyance *Adm. Deed*
3. Is it properly executed *yes*
5. Before what Officer acknowledged *10-5-99*
7. If irregular, copy in full on back
9. Date of acknowledgment *10-3-02*
11. Did officer affix Seal *yes*
13. Does conveyance contain covenants—
 - (a) of seizin *yes*
 - (b) power to convey *yes*
 - (c) against encumbrances *no*
 - (d) against claims of all others *as Adm. Deed*

2. Date of Conveyance *1-5-99*
4. Date of Entry and No.
6. Acknowledgments, regular *yes*
8. Did all grantors acknowledge *yes*
10. Was privy examination of wife taken *no*
12. Was order of probate correct *yes*
14. Date of filing for record *10-3-02*
15. Book *235* Page *236*
for *Shannon* County.
16. Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully)

I have sold to L. R. Hyde the above described land and premises with all improvements thereon and the right of the said L. R. Hyde her heirs and assigns forever of the said L. R. Hyde her heirs and assigns forever

Exact Description of Property

Recitals North been authorized and empowered by the to sell and execute title to the lands belonging to the Estate of the said Wm H. Shannon Sr. deceased.

On a canal lefty river joining the lands of W. H. Lucas and A. Nations

Beginning on a Hickory, in A. Nations and runs S 10 W 14 ft to a W. Oak, in A. Nations line; then S 15 W 20 ft. to a white Oak; then S 10 W 19 ft. to a Sassafras; then S 45 W 14 ft. to a white Oak; then S 15 W 26 ft. to a Gum, in A. Nations line; then S 45 W 50 ft. to a white Oak, W. H. Lucas line; then N. 10. E. 140 ft. to a Gum, near with W. H. Lucas line; then E 40 ft. to a Black Oak

Sheet B

ABSTRACT OF DEED OR GRANT

Grantors
Grantees

In Preamble	As Signed	As Acknowledged
P. L. Hyde	P. L. Hyde W. P. Hyde	P. L. Hyde W. P. Hyde
W. H. Queen		

- | | | | |
|--|----------------|--|--------------------------|
| 1. Kind of Conveyance..... | Deed | 2. Date of Conveyance..... | 4-23-99 |
| 3. Is it properly executed..... | Yes | 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..... | 4-23-99 | 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— | | 14. Date of filing for record..... | February 15, 1908 |
| (a) of seizin..... | | 15. Book..... | 32 |
| (b) power to convey..... | | for..... | Swain |
| (c) against encumbrances..... | | County..... | Swain |
| (d) against claims of all others..... | | 16. Does deed contain any special limitations, provisions or restrictions..... | |
17. Habendum clause (Quote fully)..... **To have and to hold the aforesaid land, together with all rights and privileges thereunto belonging unto him, the said W. H. Queen and his heirs and assigns to their only use and behoof forever.**

Exact Description of Property

A certain tract or parcel of land in Swain County, State of North Carolina and bounded as follows: Beginning on a stake in the East boundary line of said W. H. Queen's home tract on the point of a ridge just outside and near where the fence crosses the Indian trail and runs thence East about 25 South with said fence to a small branch; thence up said branch as it meanders to its head where it first comes out of the hill; thence East to the top of the main ridge to a stake; thence down said ridge with A. Nations line to where A. Nations line and W. H. Queen's home land join; thence North with W. H. Queen's line to the beginning, containing about 15 acres.

ABSTRACT OF DEED OR GRANT

Grantors
Grantees

In Preamble	As Signed	As Acknowledged
Parscy L. Hyde	P. L. Hyde W. P. Hyde	P. L. Hyde W. P. Hyde
W. H. Queen		

1. Kind of Conveyance..... **Deed**
2. Date of Conveyance..... **5-29-99**
3. Is it properly executed..... **Yes**
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..... **5-29-99**
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—
14. Date of filing for record..... **February 15, 1998**
- (a) of seizin.....
15. Book..... **32**..... Page..... **116**
- (b) power to convey.....
- for..... **Swain**..... County.
- (c) against encumbrances.....
16. Does deed contain any special limitations, provisions or restrictions.....
- (d) against claims of all others.....
17. Habendum clause (Quote fully)..... **To have and to hold the aforsaid tract or parcel of land with all the appurtenances thereunto belonging unto the said W. H. Queen and his heirs to his and their only use and behoof forever.**

Exact Description of Property

A certain tract or parcel of land lying and being in the County of Swain, in the State of North Carolina, adjoining the lands of W. H. Queen and bounded as follows: Beginning on a forked black walnut tree on the North side of a small branch and in the line of the W. H. Queen home tract and about 15 poles from the corner of a piece of land that said W. H. Queen bought of said Parscy L. Hyde and runs thence from said Walnut North 5. East with the line of W. H. Queen home tract 40 poles to a white oak tree in said line; then North 70 East 40 poles to a stake; thence South 5 West 40 poles to a hickory; thence South 70 West 40 poles to the beginning, containing 10 acres.

ABSTRACT OF DEED OR GRANT

Grantors
Grantees

In Preamble

As Signed

As Acknowledged

W. P. Hyde and wife

P. L. Hyde

W. H. Queen

W. P. Hyde

C. P. Hyde

- | | | | |
|--|---------------|--|----------------|
| 1. Kind of Conveyance..... | Deed | 2. Date of Conveyance..... | 8-30-99 |
| 3. Is it properly executed..... | Yes | 4. Date of Entry and No..... | |
| 5. Before what Officer acknowledged..... | J. P. | 6. Acknowledgments, regular..... | |
| 7. If irregular, copy in full on back..... | | 8. Did all grantors acknowledge..... | Yes |
| 9. Date of acknowledgment..... | 9-1-99 | 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— | | 14. Date of filing for record..... | 9-3-01 |
| (a) of seizin..... | | 15. Book..... | 22 |
| (b) power to convey..... | | for..... | Swain |
| (c) against encumbrances..... | | Page..... | 448 |
| (d) against claims of all others..... | | 16. Does deed contain any special limitations, provisions or restrictions..... | |

17. Habendum clause (Quote fully)..... **To have and to hold the aforesaid tract or parcel of land with all the appurtenances thereunto belonging unto the said W. H. Queen, his heirs and assigns forever.**

Exact Description of Property

A tract or parcel of land lying and being in the County of Swain, State of North Carolina and bounded as follows: Beginning on a hickory tree in A. Nations line on top of a ridge near A. Nations and Biney Balce's corner, running North 10 East with A. Nations and Biney Balce's line 60 poles to a rock and pointers in Biney Balce's line; then South 70 West 72 poles to a White Oak in W. H. Queen's line; then South 5 East 140 poles to a White Oak, W. H. Queen's corner on top of a ridge and in A. Nations line; thence North 44 East with A. Nations 50 poles to a White Oak in said line; thence North 15 East 26 poles to a black gum tree in A. Nations line; then North 45 East 14 poles to a sourwood tree in said line; thence North 10 East 19 poles to a White Oak tree in A. Nations' line; thence North 15 East 20 poles to a White Oak tree in said line; thence North 10 East 10 poles to the beginning, containing 40 acres more or less.

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

W. P. Hyde and wife
Parsey L. Hyde

W. P. Hyde
P. L. Hyde

W. P. Hyde
Parsey L. Hyde

W. H. Queen

- | | |
|---|--|
| <p>1. Kind of Conveyance..... Deed</p> <p>3. Is it properly executed..... Yes</p> <p>5. Before what Officer acknowledged..... J. P.</p> <p>7. If irregular, copy in full on back.....</p> <p>9. Date of acknowledgment..... April 13, 1903</p> <p>11. Did officer affix Seal.....</p> <p>13. Does conveyance contain covenants—</p> <p>(a) of seizin</p> <p>(b) power to convey</p> <p>(c) against encumbrances.....</p> <p>(d) against claims of all others.....</p> | <p>2. Date of Conveyance..... April 13, 1903</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..... Yes</p> <p>12. Was order of probate correct..... Yes</p> <p>14. Date of filing for record..... February 15, 1908</p> <p>15. Book..... 32..... Page..... 117
for..... 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 aforesaid tract and parcel of land with all rights and appurtenances thereto belonging to the said W. H. Queen, his heirs and assigns to their only use and behoof forever.**

Exact Description of Property

A tract and parcel of land in Swain County, North Carolina, on the waters of Coona Luffy River, adjoining the lands of James A. Chambers, Biney Enloe and W. H. Queen and bounded as follows: Beginning on a Black Gum James A. Chamber's and W. H. Queen's corner tree and runs North 74 East with James A. Chamber's line 72 poles to a stake in Chamber's line; then South about 10 West 10 poles to a Black Oak, Biney Enloe's corner; then South 10 West 18 poles to a rock and pointers, W. H. Queen's corner; then South 70 West with W. H. Queen's line 72 poles to a White Oak, Queen's corner and in the line of his Floyd tract; then North 5 East with the line of the Floyd tract 32 poles to the beginning, containing 15 acres less or more.

NORTH CAROLINA PARK COMMISSION

S. A. Lucien widow
J. C. Lucien & wife Miriam
Charles Lucien single
Thomas Parker & husband
Herman Parker

ABSTRACT OF DEED OR GRANT

	As Signed	As Acknowledged
Grantors Henry Lucien (deceased) Mary & Fayle & husband Ed. Fayle	✓	✓
Grantees Oana Lufly Railroad Co.		

- Kind of Conveyance Right of way Deed
- Date of Conveyance 7-18-17
- Is it properly executed yes
- Date of Entry and No.
- Before what Officer acknowledged N. P. J. P.
- Acknowledgments, regular yes
- If irregular, copy in full on back
- Did all grantors acknowledge yes
- Was privy examination of wife taken yes
- Date of acknowledgment 7-18-17 & 7-20-17
- Was order of probate correct yes
- Did officer affix Seal yes
- Date of filing for record 8-15-17
- Does conveyance contain covenants—
(a) of seizin no
(b) power to convey no
(c) against encumbrances no
(d) against claims of all others no
- Book 44 Page 412
for Swain County.
- Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully) I have & have said right of way and other rights hereby granted through and over the said land together with all gro- & all way - thereto belonging unto said party of the second part its successors and assigns as a common carrier for the term of 30 years from the execution of these presents.

A right-of-way 30 ft wide through and over the lands of the parties of the first part, herein after described, for the purpose of constructing and maintaining a Railroad as Common Carrier.

The lands are Oana Lufly river land and are the lower end by lands of J. J. Fayle and on the upper end by Chas. and L. Carr and being the same place on which J. C. Lucien lives.

NORTH CAROLINA,

SWAIN COUNTY.

Frank Cordell, being duly sworn, deposes and says that he is age 42 years and has been a citizen and resident of Swain County for 32 years; that he is well acquainted with the lands now belonging to Wm. H. Queen, which were conveyed to him by James S. Queen and wife on May 14, 1877; more particularly described as follows:

FIRST TRACT

BEGINNING at the lower end of the Gunter Falls at the mouth of the branch on the conditional line made by Jessie Cornwell and Wm. Welch, runs thence West 51 poles to a black-oak; thence North 264 poles to a hickory; then East 46 poles to a spanish oak; thence South 60 East 20 poles to a black-oak; thence 40 East 80 poles to a stake on the East bank of the river; thence East 45 poles to a hickory; thence South 160 poles to top of the ridge in the fork of Luffy, Hughes line on top of main ridge between Floyd and Hughes; thence South 80 West 40 poles to a white-oak; thence crossing the river 76 poles to the beginning, containing 250 acres more or less.

SECOND TRACT

BEGINNING at a white-oak in the West boundary line of the Floyd land at Mingus corner and runs West with that line 64 poles to a stake; then North 126 poles to a stake; then East 64 poles to a stake in Floyd's line near Pine Gap; then South with that line 126 poles to the beginning, containing 50 acres.

Affiant is also familiar with the possession on said lands for the past thirty years; and affiant states that the said Wm. H. Queen has been in the undisputed, continuous, adverse and notorious possession of the said above described lands under the deed above referred to, for said period of time by means of cultivation, cutting of timber and wood, and by the actual occupancy thereof as a place of abode; that affiant has never heard of any claims of title to any portion of said lands adverse to the claim of the said Wm. H. Queen.

(sgd)

Frank Cordell

Affiant

Sworn to and subscribed before me this 16th day of November, 1928.

(sgd)

Will W. Wiggins

Notary Public

My Commission expires 17th day Nov. 1928

TAXES

(Fill in all blanks indicating year, and show on lines opposite the year whether or not the taxes have been paid. If paid an affirmative showing must be made by use of the word "Paid." The use of ditto marks is not permissible).

The property in question is assessed for taxation for the current year, 19~~28~~, at \$ ~~11,999.00~~ in the name W. H. Queen and the taxes for the past ten years have been paid or not paid as follows:

19 <u>19</u> <u>Paid</u> 19 <u>20</u> <u>Paid</u> 19 <u>21</u> <u>Paid</u> 19 <u>22</u> <u>Paid</u> 19 <u>23</u> <u>Paid</u>		19 <u>24</u> <u>Paid</u> 19 <u>25</u> <u>Paid</u> 19 <u>26</u> <u>Paid</u> 19 <u>27</u> <u>Paid</u> 19 <u>28</u> <u>Unpaid. Amount \$ 281.53</u>
--	--	--

ASSESSMENTS

W. H. QUEEN

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. As to the central portion of Tract #56, we are not able to show a connected title from the State to the present owner. However, the present owner, W. H. Queen, has been in the actual possession of the premises under a deed from James S. Queen for a period of 30 years and more; and, we think that such possession under color makes his title good.

The whole of Tract #56 is covered by Grant #224 to William Cathcart and also it is largely covered by Grant #501 to Felix Walker. The title being out of the State seven years possession under color should perfect the title in the present owner; but, as stated, he has had more than 30 years possession under his deed.

2. This tract of land is subject to a thirty foot Right-of-Way for a Railroad, which Right-of Way extends across said Tract.

See page _____ of the abstract.

3. Taxes for the year 1928, amounting to \$281.53 are outstanding and unpaid.

ABSTRACT OF DEED OR GRANT

In Preamble

As Signed

As Acknowledged

Grantors
Grantees

James Jones

Fanny Floyd,
heir and daughter of James Jones

1. Kind of Conveyance General Warranty Deed
2. Date of Conveyance 10-2-37
3. Is it properly executed Yes
4. Date of Entry and No.
5. Before what Officer acknowledged Clerk
6. Acknowledgments, regular
7. If irregular, copy in full on back
8. Did all grantors acknowledge
9. Date of acknowledgment Sept Sessions 1837
10. Was privy examination of wife taken
11. Did officer affix Seal No
12. Was order of probate correct
13. Does conveyance contain covenants—
14. Date of filing for record 11-1-37
- (a) of seizin No
15. Book C Page 578
- (b) power to convey No
- for Haywood County.
- (c) against encumbrances No
16. Does deed contain any special limitations, provision or restrictions
- (d) against claims of all others Yes
17. Habendum clause (Quote fully) None given

Exact Description of Property

On the left hand fork of Ocona Lufly River on both sides of said river;

BEGINNING at the lower end of the Gunter Falls at the mouth of the branch on the conditional line made by Jesse Colwell (Cornwill) and Wm. Welch runs as follows: West 51 poles to a black oak; then N. 264 poles to a hickory; then E. 46 poles to a spanish oak; then S. 60 degrees E. 70 (20) poles to a B.O.; then 40 degrees E. 80 poles to a stake on the East bank of the river; then E. 45 poles to a hickory; then S. 280 poles to a hickory; then S. 50 degrees W. 40 poles to a W.O.; then crossing the river 76 poles to the BEGINNING, supposed to be 250 acres more or less.

ABSTRACT OF DEED OR GRANT

Grantees	Grantors	In Preamble	As Signed	As Acknowledged
		See back	Same	Same
Ocona Lufty Rail Road Company				

1. Kind of Conveyance..... **Right of Way Deed**
2. Date of Conveyance..... **7-18-17**
3. Is it properly executed..... **yes**
4. Date of Entry and No.....
5. Before what Officer acknowledged..... **N. P.**
6. Acknowledgments, regular..... **yes**
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge..... **yes**
9. Date of acknowledgment..... **2-14-20**
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 covenants—
14. Date of filing for record..... **5-3-20**
- (a) of seizin
15. Book..... **48** Page..... **352**
- (b) power to convey.....
- for..... **Swain** County.
- (c) against encumbrances.....
16. Does deed contain any special limitations, provisions or restrictions
- (d) against claims of all others.....
17. Habendum clause (Quote fully)..... **To have and to hold said right of way and other rights hereby granted through over said lands together with all privileges and appurtenances thereto belonging to the said Ocona Lufty Rail Road Co. its successors and assigns to a common carrier for the term of 30 years from this date.**

Exact Description of Property

Right of way 30 feet wide for the construction
mainteance and operation of a rail road to be
operated for a period of 30 years. The lands
owned by W. H. Queen deceased.

GRANTORS

Coleman S. Queen and wife Otenna

Rufus B. Queen

Ava Amsberry and husband M. H. Amsberry

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Rufus B. Queen (unmarried)	Rufus B. Queen	Rufus B. Queen
Grantees	T. C. Queen J. C. Queen H. A. Queen		

1. Kind of Conveyance Warranty Deed
2. Date of Conveyance Dec. 18, 1919
3. Is it properly executed yes
4. Date of Entry and No.
5. Before what Officer acknowledged N. P.
6. Acknowledgments, regular yes
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge yes
9. Date of acknowledgment Dec. 24, 1919
10. Was privy examination of wife taken no
11. Did officer affix Seal yes
12. Was order of probate correct yes
13. Does conveyance contain covenants—
14. Date of filing for record Jan. 23, 1920
- (a) of seizin yes
15. Book 48 Page 134
- (b) power to convey yes
- for Swain County.
- (c) against encumbrances yes
16. Does deed contain any special limitations, provisions
- (d) against claims of all others yes
- or restrictions
17. Habendum clause (Quote fully) To have and to hold the aforesaid interest in
said land and all privileges and appurtenances thereto belonging
or in any wise appertaining to the said parties of the second
part, their heirs and assigns, to their only use and behoof for-
ever.

Exact Description of Property

That the said party of the first part, for and in consideration of the sum of \$10.00 to him paid by the said second party, the receipt of which is hereby acknowledged, and for the further consideration to-wit:

That the said second party are to and does hereby agree to bear, Rufus B. Queen's part of the expense of taking care of their mother, W. H. Queen's widow, during her natural life, has bargained, sold and by these presents, doth grant, bargain, sell and convey to the said parties of the second part, their heirs and assigns, all the right, title and interest in the estate of W. H. Queen deceased. It being the child's part in 925 acres of land situate on Ocona Lufly River and its tributaries, and including the old home place.

ABSTRACT OF DEED OR GRANT

Grantees

In Preamble

As Signed

As Acknowledged

(see back)

(same)

(same)

Ocona Lufty Rail
Road Company

1. Kind of Conveyance Right of Way Deed
2. Date of Conveyance 7-18-17
3. Is it properly executed.....
4. Date of Entry and No.....
5. Before what Officer acknowledged J. P. & N. P.
6. Acknowledgments, regular yes
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge yes
9. Date of acknowledgment 6-18-17
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 covenants—
14. Date of filing for record 8-15-17
15. Book 44 Page 412
16. Does deed contain any special limitations, provisions or restrictions
17. Habendum clause (Quote fully) To have and to hold said right of way and other rights hereby granted through and over said lands together with all privileges and appurtenances thereto belonging unto the said Ocona Lufty Rail Road Company its successors and assigns to a common carrier for the term of 30 years from this date.

Exact Description of Property

Right of way 30 feet wide for the construction
mainteance and operation of a rail road to be
operated as a common carrier for a period of
30 years. The land Owned by W. H. Queen
deceased.

GRANTORS

S. A. Queen (widow)

T. C. Queen and wife Mariam Queen

Candler Queen (single)

Henry Queen (minor)

Mary Floyd and husband Ed Floyd

Florence Parker and husband Vernor Parker

Heirs at law of W. H. Queen

S. A. Queen (widow)	Swain County
T. C. Queen and wife Mariam	Swain County
Candler Queen and wife_____ now in	Clay County
Henry Queen	Swain County
Mary Floyd and husband Ed Floyd	Swain County
Lawrence Parker and husband Vernon	Asheville, N. C. <i>with the common law</i>
Coleman Queen and wife Otenna	State of Washington
Rufus B. Queen	State of Washington
Ava Amsberry and husband M. H. Amsberry	" " "

NOTE: The above is a true list of the names and residence of the widow and heirs at law of W. H. Queen deceased and except a rail road right of way deeded to the Ocona Lufly Rail Road Company by the above widow and heirs copy of which deeds are hereto attached, ~~except~~ they are the sole owners of the W. H. Queen estate all of which is included in Tracr 56.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Coleman S. Queen and wife Otenna Queen	Coleman Queen Otenna Queen	Coleman S. Queen Otenna Queen
	T. C. Queen J. C. Queen H. A. Queen		

1. Kind of Conveyance Warranty Deed
2. Date of Conveyance Dec. 1, 1919
3. Is it properly executed yes
4. Date of Entry and No.
5. Before what Officer acknowledged N. P.
6. Acknowledgments, regular yes
7. If irregular, copy in full on back.....
8. Did all grantors acknowledge yes
9. Date of acknowledgment Dec. 22, 1919
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 covenants—
14. Date of filing for record Jan. 23, 1920
- (a) of seizin yes
15. Book 48 Page 136
- (b) power to convey yes
- for Swain County.
- (c) against encumbrances yes
16. Does deed contain any special limitations, provisions
- (d) against claims of all others yes
- or restrictions
17. Habendum clause (Quote fully) To have and to hold the aforesaid interest in
- said land and all privileges and appurtenances thereto belonging or
- in any wise appertaining to the said parties of the second part, their
- heirs and assigns to their only use and behoof forever.

Exact Description of Property

That the said party of the first part, for and in consideration of the sum of \$10.00 to them paid by the second party, the receipt of which is hereby acknowledged, and for the further consideration to-wit:

That the said second party are to and does hereby agree to bear Coleman S. Queen's part of the expense of taking care of their mother, W. H. Queen's, widow, during her natural life, have bargainde, sold and by these presents doth grant, bargain, sell, and convey to said parties of the second part, their heirs and assigns, all their right title and interest in the estate of W. H. Queen (deceased). It being a child's part in 925 acres of land situate on Oona Lufty River and its tributary including the old home place.

1-492 J. S. Luce no Dead Hunt
 4-242 W.H. Luce (Copied)

8-656 W.H. Luce no Dead Hunt
 13-127 outside
 18-71 outside
 18-71 S.L. Beck Part of G. 7845-
 18-119 J. D. Watson on unique creek
 19-18 John Reed Part of Grants 7618 & 8487 Canches Cr.
 21-244 John Reed Canches Creek
 23-626 Leonard Luce (Hay & Land Unique Creek)
 23-473 Outside
 20-365 Outside
 24-140 J.H. Smith (Canches Creek)
 26-209 J.A. Chambers Canches Creek
 32-36 Outside
 32-112 W.A. McLaughlin (C.E. Watkins) copied
 33-237 Thomas Childers Canches Creek
 36-516 S.J. Smith Canches Creek

judgment vs W.H. Luce & al.

judgment	100
Cost	4275.
	<u>\$142.75.</u>

Deckled 1-23-98

N.C. #203
 10-2-55
 50 A.
 R. G. Lay & wife
 8-24-76
 520 S
 20 A.
 James S. Luceen
 5-14-77
 2 Lunt
 #1 250 acrs
 #2 50 "

N.C. #286
 4-3-77
 277 A.
 W. H. Luceen
 8-28-03
 7 1/2 A.
 W. R. McLaughlin
 2-6-07
 7 1/2 A.

R. M. Layton
 3-21-17
 7 1/2 A.
 L. C. Luceen
 10-2-22

Francis Layton
 11-2-66
 250 A.
 R. G. Layton & wife
 8-24-76
 250 acrs

James S. Luceen checked X
 W. H. Luceen " X "

L. P. Hayde is the same as
 O. L. Hayde who is the wife of W. P. Hayde

O. L. Hayde
 4-28-99
 15 A.
 W. P. Hayde & wife
 8-30-99
 40 A.
 Francis Hayde
 5-29-99
 10 A.
 W. P. Hayde & wife
 4-13-03
 14 A.

Wm. Cath East Hearn
 Grant
 Wm. H. Thomas

56

W H QUEEN

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

November 15, 1929.

Sheriff of Swain County,
Bryson City, N. C.

Dear Sir:

We are handing you herewith, by our agent, W. W. Wiggins, the original and 8 copies of SUMMONS in the case of State of North Carolina versus Heirs at law of W. H. Queen.

Please serve the eight copies upon the respondents, the names of whom we have listed at the top of the summons for your convenience.

We are informed that the following respondents are non-residents of the State of North Carolina:

Coleman Queen and wife, Otenna Queen
Rufus B. Queen
Ava Amsberry and husband, M. H. Amsberry.

In making your return on the back of the original summons, please state that "After due search, the following respondents (list the above names) cannot be found in Swain County."

We are enclosing S. F. Chapman's check for \$12.00 on the part of the Park Commission to cover payment of your fees for serving the eight copies of summons.

Please make your return on the original summons and return to this office in the enclosed self-addressed, stamped envelope.

Yours very truly,

NORTH CAROLINA PARK COMMISSION

By

Enclosures.

Copy for
Petitioner
Filed Jan. 9, 1930.

NORTH CAROLINA, : IN THE SUPERIOR COURT
: :
BUNCOMBE COUNTY. : BEFORE THE CLERK.

STATE OF NORTH CAROLINA,
Petitioner,

-vs-

ANSWER

HEIRS AT LAW OF W. H. QUEEN, - viz.:
S.A. QUEEN (WIDOW),
T. C. QUEEN AND WIFE, MARIAM QUEEN,
CANDLER QUEEN AND WIFE, _____ QUEEN,
HENRY QUEEN,
MARY FLOYD AND HUSBAND, ED FLOYD,
FLORENCE PARKER AND HUSBAND, VERNON PARKER,
COLEMAN QUEEN AND WIFE, OTENNA QUEEN,
RUFUS B. QUEEN, and
AVA AMSBERRY AND HUSBAND, M. H. AMSBERRY,
Respondents.

The respondents, S. A. Queen, widow, T. C. Queen and wife, Mariam Queen, Candler Queen and wife, _____ Queen, Henry Queen, Mary Floyd and husband, Ed Floyd, Florence Parker and husband, Vernon Parker, answering the petition filed in the above cause, say and allege:

1.

That paragraph one of the petition is admitted.

2.

That paragraph two of the petition is admitted.

3.

That paragraph three of the petition is admitted.

4.

That the allegations contained in paragraph four of the petition are true and admitted except it is denied that said boundary attempted to be described in said Exhibits "A" and "B" contains only 356.20 acres, and respondents here allege and show the court that said boundary contains, as respondents are informed and believe, 408 acres of land; and except further it is denied

that the respondents, Coleman Queen and wife, Otenna Queen, and Rufus B. Queen, own, have or claim any interest whatever in and to said tract of land described in said petition as will more fully hereinafter appear.

5.

Paragraph five of the petition is true and admitted except it is denied that respondents, Coleman Queen and wife, Otenna Queen, and Rufus B. Queen, have, own or claim any interest or estate in and to said tracts of land.

6.

Paragraph six of the petition is true and admitted except it is denied that respondents, Coleman Queen and wife, Otenna Queen, and Rufus B. Queen, have or own, or claim to have or own, any estate or interest whatever in the lands described in the petition.

7.

That the allegations of paragraph seven of the petition are true and admitted except it is denied that the respondents Coleman Queen and wife, Otenna Queen, and Rufus B. Queen, are necessary parties to this proceeding for that they have or claim no interest of record in Swain County to said lands.

AND BY WAY OF A FURTHER ANSWER TO THE PETITION FILED IN THIS CAUSE, THESE ANSWERING RESPONDENTS SAY AND ALLEGE:

1.

That on the ____ day of _____, 19____, W. H. Queen died intestate and seized of the lands described or attempted to be described by petitioner in its petition, and the said W. H. Queen, deceased, left him surviving his widow, S. A. Queen, who is one of the respondents named in the petition, and also the following children who were and are his heirs at law: T. C. Queen, Candler Queen, Henry Queen, Mary Floyd (wife of Ed Floyd),

Florence Parker (wife of Vernon Parker), Coleman Queen, Rufus B. Queen and Ava Amsberry (wife of M. H. Amsberry), and no other, all of said persons are now living, named as respondents in the petition filed in this cause and are parties therein together with ~~the~~ their wives and husbands as the case may be.

2.

That on the ____ day of _____, 19____, the respondents, Coleman Queen and wife and Rufus B. Queen sold and conveyed unto the respondents, T. C. Queen, Candler Queen and Henry Queen, all of their interests, claim or estate in and to said lands, and that said conveyances are of record in the office of the Register of Deeds of Swain County, North Carolina, and that by virtue of ^{conveyances} ~~convenayces~~ the respondents, Coleman Queen and wife, Otenna Queen, and Rufus B. Queen, have no interest or claim to any part of said lands and are not entitled to any of the proceeds of same.

3.

That the following persons, respondents, are the owners in fee simple of said lands together with their respective rights and interests in same:

(a) S. A. Queen, widow, the right of dower which has never been laid out or designated;

(b) T. C. Queen, Candler Queen and Henry Queen a five-eighths (5/8) undivided interest, subject to the right of dower of S. A. Queen, widow;

(c) Mary Floyd (wife of Ed Floyd) a one eighth undivided interest subject to the right of dower of S. A. Queen, widow;

(d) Florence Parker (wife of Vernon Parker) a one eighth undivided interest subject to the right of dower of S. A. Queen, widow; and

(e) Ava Amsberry (wife of M. H. Amsberry) a one

eighth undivided interest subject to the right of dower of S. A. Queen, widow.

4.

That the respondents named in the preceeding paragraph, together with their interests therein set forth, are the owners in fee simple of all of said lands and are entitled to the proceeds for all of said lands according to their respective interests, and that no other persons own or claim, or have a right to own or claim, any interest in same whatsoever.

WHEREFORE, having fully answered, these answering respondents pray judgment of the court:

1. That they be declared the owners of said lands as mentioned in the petition according to their various interests as set forth in paragraph three of respondents' further answer to the petition;

2. That the proceeds of said lands be paid by petitioner to respondents according to the various interests and ownerships as enumerated and stated in said paragraph three of the further answer;

3. For such other relief as respondents are entitled to in the premises.

Morgan & Wood
Moody & Hall
Attorney for Respondents

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

January 18, 1930.

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

Dear Mr. Wiggins:

We are enclosing herewith original and copy of notice of appointment of commissioners in the W. R. Queen case. The commissioners are to be appointed next Saturday, January 25.

Please have the sheriff serve the copy on T. C. Queen, and make his return on the back of the original paper. Please return the original to us to be filed in Court.

Enclosed also are several foreclosing tax notices. Mr. Woodbury asks that you look after these.

Yours very truly,

NORTH CAROLINA PARK COMMISSION.

HMS

Please pay the sheriff's fees and turn them in on your expense account.

D. S. RUSSELL

NOTARY PUBLIC JUSTICE OF THE PEACE
INSURANCE OF ALL KINDS

ANDREWS, N. C.

January 21st, 1930.

Mr. W. H. Woodbury,
Asheville, N. C.

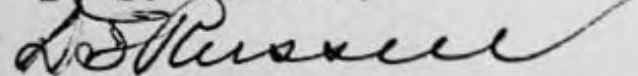
Dear Mr. Woodbury-:

I am pleased to acknowledge receipt of your favor asking if I would serve as one of the appraisers on some lands in Swain County that the Park Commission has taken out condemnation proceedings, provided the Commission should select me.

I would be pleased to assist in this matter, provided there is not too much walking through the mountains. I am yet quite active, but can not climb the mountains and expose myself as I could when you and I were engaged in the lumber business. I am,

Yours very truly,

D. S. Russell,



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, WARESBORO
FRANK LINNEY, BOONE
J. ELMER LONG, DURHAM
HARRY NETTLES, BETHUNE
E. S. PARKER, JR., GREENSBORO
MARK SQUIRES, LENOIR

Bryson City,
North Carolina
January 21, 1930.

North Carolina Park Commission,
Asheville, N. C.

Gentlemen:

Enclosed you will find notice of appointment of
Commissioners in the W. H. Queen case, which has been served.
I am also enclosing Patterson and Martin's report on the
J. A. Chambers, Arthur Chambers and J. S. Connor tracts, all
of which have been optioned at the prices set out on these
reports.

Regarding the tax notices, will say that the lands
involved in the case against Alice Shuler is outside the park;
also the land in the Weaver Lumber Company case is located on
Alarka Creek and is outside the park. I will keep in mind the
Stepp and Hartzogg tracts and will do what is necessary if this
land is brought to sale.

Yours very truly,

W. H. Stegins

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

February 1, 1930

Mr. G. G. Bryson,
Mr. Marcellus Buchanan,
Mr. J. H. Wilson,

Gentlemen:

Please delay your trip to Ocon-
Luffy River to look over the farm that the writer told
you about. We will let you know a little later on just
what our plans are in this respect and will appreciate
your going later for us at such time as we will advise
you.

yours truly,

NORTH CAROLINA PARK COMMISSION

By W. H. Woodbury,
Purchasing Agent

WHW:H

*Copies mailed to Mr. Bryson, Beta, N.C.
Mr. Buchanan, Sylva, N.C.
Mr. Wilson,
Box 506, Sylva, N.C.*

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

February 1, 1930

Mr. G. Wayne Walker,
Andrews, N. C.

Dear Mr. Walker:

There may be some delay in the Queen case, which is the property that we want you to look at next. Therefore, delay your trip until we again notify you.

Yours truly,

NORTH CAROLINA PARK COMMISSION

By W. H. Woodbury,
Purchasing Agent

WHW:H

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

February 17, 1930

Mr. Marcellus Buchanan,
Sylva, N. C.

Dear Mr. Buchanan:

Any time soon that is convenient to you, please notify Mr. John C. Calhoun, at Bryson City, when to look for you and he will show you over the property that we want you to testify about.

Yours truly,

NORTH CAROLINA PARK COMMISSION

By W. H. Woodbury

WHW:H

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

February 17, 1930

Mr. G. Wayne Walker,
Andrews, N. C.

Dear Mr. Walker:

Any time soon that is convenient to you, please notify Mr. John C. Calhoun, at Bryson City, when to look for you and he will show you over the property that we want you to testify about.

Yours truly,

NORTH CAROLINA PARK COMMISSION

By W. H. Woodbury

WHD:H

P. S. Please notify other two parties as we will not write them.

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

February 17, 1930

Mr. John C. Calhoun,
Bryson City, N. C.

Dear Mr. Calhoun:

We have notified the several prospective witnesses in the Queen case to take the matter up with you, and they will be there to look over the property.

Please make your arrangements accordingly.

Yours truly,

NORTH CAROLINA PARK COMMISSION

By W. H. Woodbury

WHW:H

LAW OFFICES
MORGAN, WARD & STAMEY
WAYNESVILLE, NORTH CAROLINA

June 5th, 1930.

Judge Frank Carter,
Attorney at Law,
Asheville, North Carolina.

In Re: State of N. C. vs. C. W. Parker, et al.,
State of N. C. vs. T. C. Queen, et al.,
State of N. C. vs. F. F. Floyd, et al.

Dear Judge Carter:-

I beg to advise that copy of Petition and Motion, together with the Order to show cause, in each of the above cases have been served on me. I am frank to admit to you that I think you are entitled to an Order drawn in conformity with your Petition, and I have accordingly written each of my clients to this effect, asking them to give me permission to sign a Consent Order in accordance with your Petition.

However, I do want a clause added, to the effect that all damage to growing crops, vegetation, etc. shall be paid by the Park Commission, and if any damages accrue that the same shall be ascertained in the suits now pending for damages. You can appreciate the fact that it will be impossible for a crew of men to go over these lands, planted as they are, without some damage being done. If you will add such a clause and draw your orders and send them to me, I will sign them by consent, or at least I am sure that my clients will so authorize me by the time you get the orders to me. I will then sign and return the same to you, and you can have the Judge to sign them. This will save both of us time and trouble.

Very truly yours,

ghw/kr

George H. Ward
George H. Ward.

Filed June 14, 1930.

NORTH CAROLINA,
BUNCOMBE COUNTY.

IN THE SUPERIOR COURT
BEFORE THE CLERK.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

HEIRS AT LAW OF W. H. QUEEN, - viz.:
S. A. QUEEN (WIDOW),
T. C. QUEEN AND WIFE, MARIAM QUEEN,
et al.,

Respondents.

O R D E R

This cause coming on to be heard before the undersigned Clerk of the Superior Court of Buncombe County, North Carolina, pursuant to the order heretofore made in this behalf, and being heard, upon the pleadings of the verified petition and motion referred to in said order, and both parties being present and heard through their counsel:-

IT IS NOW, UPON MOTION OF COUNSEL FOR PETITIONER, CONSIDERED, ORDERED AND ADJUDGED that the petitioner have leave to enter upon the lands described in the petition by its authorized agents, surveyors and prospective witnesses, for the purpose of making such surveys and measurements of said lands by the several categories thereof, and to make such detailed examinations thereof as the petitioner may deem necessary for the purpose of enabling the said petitioner to make proper preparation for the trial of the questions and issues of fact involved in this proceeding, that is to say, to enable the petitioner to offer evidence upon the trial based upon the examination of said lands and premises by its own witnesses as to the quantity, quality, condition and value of said lands and premises by the several categories thereof.

PROVIDED, however, that the petitioner, before sending its said agents, surveyors and prospective witnesses upon said lands, pursuant to this order, shall give to the respondents in actual possession of said lands and premises prior notice of the time when said entry will be made, with the names of the persons authorized

by the petitioner to make such entry, which notice shall be mailed to said respondents at least five days before the time appointed for such entry.

PROVIDED, further, that this order is made without prejudice to the right of the owner, or owners, of said premises to maintain an action, or actions, at law against any of the persons so sent upon the said lands by the petitioner, to recover the damages, if any, that said owners may sustain by reason of any tortious conduct of any such persons under color of the authority conferred by this order.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED that the respondents, and every of them, and every of their attorneys and agents, are hereby restrained and enjoined from interfering, in any manner, with the due and peaceable performance of this order, according to the true intent and meaning hereof.

This 14th day of June, 1930.

(Signed) J. B. Cain

Clerk Superior Court,
Buncombe County, North Carolina.

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

June 16, 1930.

Mr. George H. Ward,
c/o Morgan, Ward & Stamey,
Waynesville, N. C.

Dear Mr. Ward:

In compliance with the request of Judge Frank
Carter, we are enclosing you herewith copies of an
ORDER in the following cases:

State of N. C. versus C. W. Parker and wife, et al.
" " " " versus F. F. Floyd, et al.
" " " " versus Heirs at law of W. H. Queen,
et al.

Very truly yours,

NORTH CAROLINA PARK COMMISSION

By

NKS.
Encl.

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

July 1, 1930.

Mr. T. C. Queen,
Ravensford, N. C.

Dear Sir:

In accordance with the order of the court signed by J. B. Cain, Clerk of the Superior Court of Buncombe County, on the 14th day of June, 1930, you are to be notified when the North Carolina Park Commission desires to enter upon your lands and premises for the purpose of making an examination of the quantity, quality, condition and value of said lands and premises.

I am, therefore, giving you this written notice that the following prospective witnesses will visit your lands and premises on Wednesday, July 9, 1930:-

H. Buchanan, Sr.
J. H. Wilson
D. C. Bryson
R. L. Shelton,
T. C. Bryson, Sr.
W. H. Quigg
John C. Calhoun
H. H. Woodbury
Will W. Higgins.

A list of the men who will make up the surveying and timber estimating parties, to go on your land later, will be mailed to you at least five days in advance of their entry upon the property.

Very truly yours,

Verne Rhoades,
Executive Secretary.

VR:3

COPY TO:

Mr. George Ward,
Attorney at Law,
Waynesville, N. C.

NORTH CAROLINA,
BUNCOMBE COUNTY.

IN THE SUPERIOR COURT.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

HEIRS AT LAW OF W. H. QUEEN, - viz.:
S. A. QUEEN (WIDOW),
T. C. QUEEN AND WIFE, MAHLAN QUEEN,
et al.,

Respondents.

N O T I C E

In accordance with the order of the Court signed by J. B. Cain, Clerk of the Superior Court of Buncombe County, on the 14th day of June, 1930, you are to be notified when the North Carolina Park Commission desires to enter upon your lands and premises for the purpose of making an examination of the quantity, quality, condition and value of said lands and premises.

I am, therefore, giving you this written notice that the following prospective witnesses will visit your lands and premises on Wednesday, November 19, 1930:-

Albert Teague
H. M. Morgan
Marshall West
Talmadge Manoy
Sam A. Johnson
George H. Bramlett
J. C. Calhoun.

This the 12th day of November, 1930.

STATE OF NORTH CAROLINA

By *J. Phares*

Assistant Attorney General.

Mailed to T. C. Queen, Ravensford, N. C.
on Dec. 4, 1930.

NORTH CAROLINA, : IN THE SUPERIOR COURT
: :
BUNCOMBE COUNTY. : BEFORE THE CLERK.

STATE OF NORTH CAROLINA, :
: Petitioner, :
: :

-vs-

N O T I C E

HEIRS AT LAW OF W. H. QUEEN, - viz.: :
S. A. QUEEN (WIDOW), :
T. C. QUEEN AND WIFE, MARIAM QUEEN, :
et al., :
: :

Respondents. :

T. C. Queen, one of the respondents above named, will take notice that the undersigned will, on the 17th day of December, 1930, at 10 o'clock in the forenoon of said day, apply to the Clerk of the Superior Court of Buncombe County, at his office in the Court House at Asheville, North Carolina, for an ORDER appointing commissioners or appraisers to determine the compensation which ought justly to be made to the respondents or other persons owning or interesting in the real estate described in the petition heretofore filed and served in this proceeding.

This 4th day of December, 1930.

STATE OF NORTH CAROLINA

By

J. H. Haskins

Assistant Attorney General.

W. H. QUEEN

The Following in the result of a 100% cruise of the timber-lands of W. H. Queen, Swain Co. N. C.

Cruise made Aug. 13 and 14, 1930, by E. J. Rosser, O.L. Cole John Calhoun and Willard and Dempsey Jenkins.

Species	E. of River	W. of River	Total
Chestnut	4 200	23 130	27 330
Poplar	1 710	5 400	7 110
Red Oak	9 650	7 540	17 190
White Oak	10 340	12 220	22 560
Black Oak	22 360	42 890	65 250
Chestnut Oak	4 340	10 220	14 560
Walnut	4 750	2 000	6 750
Hickory	2 780	5 340	8 120
Hemlock	1 090	-----	1 090
SubTotal	61 220	108 740	169 960
Yellow Pine	-----	5 700	5 700
TOTAL	61 220	114 440	175 660

BYPRODUCTS

Chestnut-Acidwood-			
Chestnut Acidwood	143 cds	201	344
Hardwood Pulpwood	31	10	41
Pine pulpwood	2	8	10
Hemlock Pulpwood	.371	.223	.6
Firewood	216	177	393
Chestnut Oak Bark	12 tons	16	28
Chestnut Poles	13	6	19
Locust Posts	112	136	248

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

January 31, 1931.

Mr. Frank Jordan,
Asheville, N. C.

Dear Sir:

The Clerk of the Superior Court of Buncombe County has today appointed you, Grover Robinson and T. Luther Maney as appraisers to go upon and view the premises in two condemnation proceedings entitled as follows:

State of North Carolina -vs- Heirs at law of W. H.
Queen, et al.
State of North Carolina -vs- Heirs at law of W. E.
Queen, et al.

The property involved in these proceedings all lies on the waters of Oconalufy River, in Swain County, and in the same general locality, and is easily reached.

We hope very much that you may be able to serve as one of these appraisers, and if you can serve, would be glad if you would meet with the others at an early date to be sworn in before the Clerk and go upon the property as early as convenient.

Very truly yours,

NORTH CAROLINA PARK COMMISSION

By

Of counsel.

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

January 31, 1931.

Mr. T. Luther Maney,
Barnardsville, N. C.

Dear Sir:

The Clerk of the Superior Court of Buncombe County has today appointed you, Grover Robinson and Frank Jordan as appraisers to go upon and view the premises in two condemnation proceedings entitled as follows:

State of North Carolina -vs- Heirs at law of W. H.
Queen, et al.
State of North Carolina -vs- Heirs at law of W. E.
Queen, et al.

The property involved in these proceedings all lies on the waters of Oconalufly River, in Swain County, and in the same general locality and is easily reached.

We hope very much that you may be able to serve as one of these appraisers, and if you can serve, would be glad if you would meet with the others at an early date to be sworn in before the Clerk and go upon the property as early as convenient.

Very truly yours,

NORTH CAROLINA PARK COMMISSION

By

Of Counsel.

ZW:S

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

January 31, 1931.

Mr. Grover Robinson,
Leicester, N. C.

Dear Sir:

The Clerk of the Superior Court of Buncombe County has today appointed you, T. Luther Maney and Frank Jordan as appraisers to go upon and view the premises in two condemnation proceedings entitled as follows:

State of North Carolina -vs- Heirs at law of W. H.
Queen, et al.
State of North Carolina -vs- Heirs at law of W. E.
Queen, et al.

The property involved in these proceedings all lies on the waters of Oconalufty River, in Swain County, and in the same general locality, and is easily reached.

We hope very much that you may be able to serve as one of these appraisers, and if you can serve, would be glad if you would meet with the others at an early date to be sworn in before the Clerk and go upon the property as early as convenient.

Very truly yours,

NORTH CAROLINA PARK COMMISSION

By _____
Of Counsel.

NORTH CAROLINA,
BUNCOMBE COUNTY.

IN THE SUPERIOR COURT
BEFORE THE CLERK.

Filed Jan. 31, 1931.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

HEIRS AT LAW OF W. H. QUEEN, - viz.:
S. A. QUEEN (WIDOW),
T. C. QUEEN AND WIFE, MARIAM QUEEN,
et al.,

Respondents.

JUDGMENT AND ORDER
APPOINTING COMMISSIONERS.

The above entitled cause coming on to be heard before the undersigned Clerk of the Superior Court of Buncombe County, North Carolina, on the 17th day of December, 1930, and being heard:

And it appearing to the Court, and the Court having found as a fact, that this action and proceeding is duly constituted in this Court; and it further appearing that the land described in the petition was duly condemned, as provided by law, and especially by Chapter 48, of the Public Laws of North Carolina, Session of 1927, and Section 19 thereof; and it further appearing that due service of process herein, as against all and every of the respondents, has been duly made and completed, in all respects as required by law and the particular statute aforementioned, and that the notice of the filing of the petition herein, containing the name of the petitioner and the names of all persons named in the petition, and containing a short but accurate description of the land sought to be condemned herein and the relief demanded, and addressed, as well, to all persons whom it may concern, and otherwise, in all respects complying with said statute and Section 19 thereof, has been given and published and publication thereof fully completed, in all respects as provided and required by said statute;

And it further appearing to the Court, and the Court hereby finding as a fact, that, in virtue of the premises aforesaid, all persons having, or claiming to have, any right, title, interest, property or estate whatsoever, either vested or contingent, in the

lands and premises described in the petition, are now properly before the Court and subject to its jurisdiction in this action and proceeding;

And it further appearing to the Court that the right of eminent domain appertains to and resides in the petitioner as a sovereign state, and that the petitioner has those other and further rights and powers to condemn and appropriate the lands described in the petition, for the purposes in said petition mentioned and enumerated, under and by virtue of the particular statute aforementioned;

And it further appearing to the Court, and the Court having found as a fact, that the lands described in the petition lie wholly within the boundaries of the proposed Great Smoky Mountains National Park, as defined and delimited in said statute, and particularly in Section 4 thereof, as amended by Chapter 220, Public Laws of North Carolina, Session of 1929, all of which will more particularly appear by reference to the statutes aforementioned;

And it further appearing to the Court, and the Court having found as a fact, that it is both lawful and necessary for the petitioner to condemn the lands described in the petition, for the purposes expressed in said petition, and that the petitioner is entitled to the relief demanded in said petition;

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that the lands and premises described in the petition in this cause, and all the right, title, interest, property and estate whatsoever, of the respondents, and all other persons, in and to said lands and premises, and every part thereof, and the title thereto, in fee simple, be, and the same hereby are, condemned, and the title thereto is hereby vested in the State of North Carolina, in fee simple, for the uses and purposes expressed and declared in said petition and in the statutes particularly aforementioned; and all the lands and premises, rights, privileges and appurtenances so condemned and appropriated and vested in the petitioner, are more particularly described in the petition herein and the exhibits thereto attached, which said descriptions and exhibits are hereby expressly referred to and made a part of this judgment and order.

AND IT IS CONSIDERED AND ORDERED BY THE COURT that

J. Luther Maney, Grover Robertson, and Frank Jordan
be, and they hereby are, appointed commissioners to appraise and
assess the compensation which ought justly to be made by the peti-
tioner to the person and persons owning the lands and premises,
rights, privileges and appurtenances so condemned and appropriated.

The said commissioners shall hold their first meeting
in the office of the Clerk of the Superior Court, in the City of
Asheville, North Carolina, on Wednesday, the 4th day of
February, 1931, at 11 o'clock in the A. M.; and
before entering upon their duties aforesaid, the said commissioners
shall severally take and subscribe an oath in form of law that they
will fairly and impartially assess and award the compensation afore-
said, as required by law; and thereafter, to wit, on the ____ day of
_____, 19____, the said commissioners shall go upon
and view the premises described in the petition, and there or else-
where, as the said commissioners may appoint, they shall hear the
proofs and allegations of the parties, and reduce the testimony, if
any is taken by them, to writing, and transmit the same to this
Court, together with their report, and the said commissioners shall
make their report to the undersigned Clerk of the Superior Court
within 10 days after receiving the notice of their appointment,
and shall file their report in writing, as required by law.

This the ^{31st} ~~17th~~ day of ^{January} ~~December~~, 1930.

(Signed) J. B. Cain
Clerk Superior Court,
Buncombe County, North Carolina.

NORTH CAROLINA,
BUNCOMBE COUNTY.

IN THE SUPERIOR COURT
BEFORE THE CLERK.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

HEIRS AT LAW OF W. H. QUEEN, - viz.:
S. A. QUEEN (WIDOW),
T. C. QUEEN AND WIFE, MARIAM QUEEN,
et al.,

Respondents.

OATH

OF

COMMISSIONERS.

We, the undersigned commissioners, duly appointed in the above entitled proceeding, solemnly swear that we will fairly and impartially appraise and assess the compensation which ought justly to be made by the petitioner to the party, or parties, owning or interested in the lands and premises mentioned in the petition and condemned in this cause.

This the 4 day of Feb'y., 1931.

(Signed) F. M. Jordan

" Ernest Robinson

" J. Luther Maney

Sworn to and subscribed before me this the 4 day of

Feb'y., 1931.

(Signed) J. B. Cain

Clerk Superior Court,
Buncombe County, North Carolina.

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

February 2, 1931

Mr.

Dear Mr.

Please take notice that
the Clerk of the Court has appointed T.
Luther Haney, Grover Robinson and T. M. Jordan
as Commissioners to appraise your land in the
condemnation suit.

These gentlemen will inspect
the property this week, and they will be pleased
to have you show it to them.

Yours truly,

Assistant Attorney-General

MS:H

T. C. Queen, Ravensford, N. C.
J. D. Smith, Ravensford, N. C.
Leary Connor, Smokemont, N. C.
Mrs. Alice Ayers, Smokemont, N. C.
George Beck, Smokemont, N. C.
Estate of W. E. Queen, Smokemont, N. C.
John C. Reagan, Smokemont, N. C.
Melvin Reagan, Smokemont, N. C.

Filed March 27, 1931.

NORTH CAROLINA,
BUNCOMBE COUNTY.

IN THE SUPERIOR COURT
BEFORE THE CLERK.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

HEIRS AT LAW OF W. H. QUEEN, - viz.:
S. A. QUEEN (WIDOW),
T. C. QUEEN AND WIFE, MARIAM QUEEN,
et al.,

Respondents.

REPORT OF COMMISSIONERS.

TO THE CLERK OF THE SUPERIOR COURT OF BUNCOMBE COUNTY, NORTH CAROLINA:

We, Frank Jordan, E. Grover Robinson and T. Luther Maney, commissioners appointed by the Court to appraise and assess certain lands and interests in lands lying in Swain County, North Carolina, described in the petition in this cause, and which the petitioner seeks to condemn, acquire and appropriate in fee simple for the purposes set out in said petition, and to ascertain and determine the compensation which ought justly to be paid by the petitioner to the several parties owning or interested in said lands, do hereby certify that we met at the office of the Clerk of the Superior Court of Buncombe County, North Carolina, on the 4th day of ~~January~~ ^{February} 1931, by appointment of the Court, and having been first duly sworn, we visited and viewed said lands described in said petition, and thereafter, pursuant to adjournment duly had, we again met in the Court House in Buncombe County at Asheville, North Carolina, and in the office of the Clerk of said Superior Court on the 23rd day of February, 1931, for the purpose of hearing such testimony as the petitioner or any of said respondents might desire to offer, when and where petitioner and certain of said respondents appeared by their counsel and examined witnesses produced by them respectively and were fully heard by the commissioners; and after taking into full consideration the quality and quantity of the land aforesaid, the additional fencing likely to be occasioned by the condemnation and appropriation of said land by the

petitioner and all other inconveniences likely to result to the owner, we have appraised, estimated and do assess the damages aforesaid, and have ascertained and determined the compensation which ought justly to be paid by the petitioner to the party or parties owning or interested in the lands and real estate so appraised by us at the sum of Twenty Seven Thousand Six Hundred DOLLARS (\$ 27,600.00).

We have also considered special benefits to said lands on account of this condemnation, and we find NO SPECIAL BENEFITS against said lands herein referred to.

We have caused a summary of the testimony produced before and taken by us to be reduced to writing and the same is herewith returned into Court together with this report.

Given under our hands, this the 27th day of March, 1931.

Frank Jordan
E. Grover Robinson
J. Luther Macey.
Commissioners.

NORTH CAROLINA,
BUNCOMBE COUNTY.

: IN THE SUPERIOR COURT
:
: BEFORE THE CLERK.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

HEIRS AT LAW OF W. H. QUEEN, viz.:
S. A. QUEEN (WIDOW), T. C. QUEEN
AND WIFE, MARIAM QUEEN, et al.,

Respondents.

O R D E R

It is considered and ordered by the Court that the commissioners appointed by the Court to appraise the lands sought to be condemned in this proceeding be, and they are hereby, allowed in full of their compensation as such the following amounts:

Frank Jordan	\$120.00
E. Grover Robinson	\$120.00
T. Luther Maney	\$120.00.

The foregoing allowances and all other costs lawfully incurred by any of the parties hereto to be taxed by the Clerk are adjudged and directed to be paid by the petitioner, as provided by law.

This 30th day of March, 1931.

Clerk Superior Court,
Buncombe County, North Carolina.

Filed April 20, 1931

NORTH CAROLINA,
BUNCOMBE COUNTY.

IN THE SUPERIOR COURT
BEFORE THE CLERK.

STATE OF NORTH CAROLINA,

Petitioner,

-vs-

FINAL JUDGMENT.

HEIRS AT LAW OF W. H. QUEEN, - viz.:
S. A. QUEEN (WIDOW),
T. C. QUEEN AND WIFE, MARIAM QUEEN,
CANDLER QUEEN AND WIFE, _____ QUEEN,
HENRY QUEEN,
MARY FLOYD AND HUSBAND, ED FLOYD,
FLORENCE PARKER AND HUSBAND, VERNON
PARKER,
COLEMAN QUEEN AND WIFE, OTENNA QUEEN,
RUFUS B. QUEEN, and
AVA AMSBERRY AND HUSBAND, M. H.
AMSBERRY,

Respondents.

This cause coming on to be heard before the undersigned Clerk of the Superior Court of Buncombe County, North Carolina, on this the 20th day of April, 1931, and being heard, and the Court having found, and hereby finding, the facts as follows, to-wit:

1. That this action and proceeding is duly constituted in this Court, that is to say, that summons herein was duly issued on the 15th day of November, 1929, and that the duly verified petition of the State of North Carolina was on said date duly filed in this Court, and that said summons and said duly verified petition herein have been duly served upon the respondents herein, and every of them, in all respects as required by law, and that the notice required by Chapter 48, Section 19, of the Public Laws of North Carolina, Session of 1927, has been duly given and published in all respects as therein required, whereby all persons whom it may concern and all persons having or claiming any estate or interest in the lands and premises sought to be condemned in this proceeding have been duly notified and required to appear in this proceeding at the time and place therein mentioned and to make such answer, defense or plea as they may be advised; and that certain of said respondents shown in said petition and said summons to be non-residents of the State of North Carolina have been duly served by publication, as required by law, and that the time for answering was

extended by an order made by the Clerk of the Superior Court of Buncombe County, allowing all of the respondents to appear and answer the petition on or before the 6th day of January, 1930; that S. A. Queen (widow), T. C. Queen and wife, Mariam Queen, Candler Queen and wife, _____ Queen, Henry Queen, Mary Floyd and husband, Ed Floyd, Florence Parker and husband, Vernon Parker, filed an answer in said proceeding, dated January 9, 1930, by leave of the Court, setting up their claim to the lands described in Paragraph 4 of the petition, and being Tract No. 56 of the survey made by the North Carolina Park Commission; all of which will more particularly appear by the records and files of the Court in this cause, and the Court hereby finds as a fact that no other person, firm or corporation whomsoever has appeared herein or has, in any manner, asserted any interest or claim in the subject matter of this action and proceeding.

2. That heretofore, to-wit, on the 31st day of January, 1931, (the time for answering having fully elapsed and expired as to all and every of the respondents summoned herein and of all other persons whom it may concern notified by the above recited publication and notice herein), the undersigned Clerk of the Superior Court of Buncombe County, North Carolina, duly made and entered an interlocutory judgment and order in this cause, whereby it was duly ordered and adjudged, inter alia, that FRANK JORDAN, E. GROVER ROBINSON and T. LUTHER MANEY be, and they were, duly appointed commissioners by the Court, and they were required fairly and impartially to appraise the lands and interests in lands mentioned in the petition herein, and to ascertain and determine the compensation which ought justly to be made by the petitioner to the party or parties owning or interested in the real estate so appraised by them, and to make a report to the Court herein, according to law, and said commissioners were required, before entering upon their duties, to take and subscribe an oath, in form of law, that they would fairly and impartially assess and award the compensation aforesaid, as required by law, all of which will more fully appear by reference to said order, and all and singular the requirements thereof, as the same appears upon the records and files of this cause, and the said commissioners pro-

ceeded, having first been duly sworn, conformably to the provisions and requirements of said order, to duly appraise the same, as required by said order, and thereafter, to-wit, on the 27th day of March, 1931, the said commissioners made written report of their said proceedings and returned the same to the Court, together with the evidence taken by them, as required by law and the order aforesaid, all of which will more particularly appear by the records of the proceedings in this cause, which are hereby particularly referred to.

3. That said commissioners and appraisers, by their report in the last preceding paragraph hereof mentioned, appraised, ascertained and determined the compensation which ought justly to be made by the petitioner to the party or parties owning or interested in the lands and premises described in the petition, and so appraised by them, at the sum of TWENTY-SEVEN THOUSAND, SIX HUNDRED and 00/100 DOLLARS (\$27,600.00).

That said commissioners found that NO SPECIAL BENEFITS were assessable against said lands.

4. That none of said respondents has filed any exceptions or appeals to said report within the time allowed by law.

5. That the lands described in the petition lie wholly within the boundaries of the proposed Great Smoky Mountains National Park as defined and delimited in the Act of the General Assembly of North Carolina, entitled "An Act to Provide for the Acquisition of Parks and Recreational Facilities in the Great Smoky Mountains of North Carolina," ratified on the 25th day of February, 1927, the same being Chapter 48 of the Public Laws of North Carolina, Session of 1927, and particularly in Section 4 of said act, and that all of said lands are embraced within the area of 214,000 acres of land situate in the State of North Carolina designated by the Secretary of the Interior of the United States under authority of the Act of Congress mentioned in the statute aforementioned, namely, Chapter 48, Public Laws of North Carolina, Session of 1927, as properly constituting a portion of the said Great Smoky Mountains National Park, all of which will more particularly appear by reference to said Act of Congress and to said Chapter 48, Public Laws of North Carolina, Session of 1927, aforementioned.

6. That the right of eminent domain appertains to and resides in the petitioner as a sovereign state, and that the petitioner has those other and further rights and powers to condemn and appropriate the lands described in the petition for the purposes in said petition mentioned and enumerated under and by virtue of the statute aforementioned.

7. That it is both lawful and necessary for the petitioner to condemn the lands described in the petition for the purposes therein expressed and declared, and that the petitioner is entitled to the relief demanded in the petition:

NOW, THEREFORE, IN THE PREMISES AFORESAID AND UPON MOTION OF COUNSEL FOR THE PETITIONER, IT IS CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT, as follows:-

I.

That the interlocutory judgment and order appointing commissioners in this cause, of date the 31st day of January, 1931, hereinbefore referred to, be, and the same hereby is, in all respects, approved, ratified and confirmed.

II.

That the aforementioned report of said commissioners and appraisers, as the same appears in the records and files of this cause, be, and the same hereby is, in all respects, approved, ratified and confirmed.

III.

That the petitioner forthwith pay into the registry of this Court the sum of TWENTY-SEVEN THOUSAND, SIX HUNDRED and 00/100 DOLLARS (\$27,600.00), in full of the compensation which ought justly to be made by the petitioner to the party or parties owning or interested in the lands described in the petition and so appraised by said commissioners, conformably to the report of said commissioners; the said amount of money to be paid out and disposed of under the orders of this Court to the party or parties, person or persons entitled thereto, as their interest or interests severally may be made to appear.

IV.

That upon the payment into Court by the petitioner of the amount of money aforesaid, as hereinbefore and hereby required, the title to all and singular the lands, premises, and real estate described in the petition and hereinafter more particularly described, shall, eo instanti, pass to and vest in the petitioner, the State of North Carolina, in fee simple, for the uses and purposes expressed and declared in said petition and in Chapter 48, Public Laws of North Carolina, Session of 1927, free and discharged of and from all adverse claims, liens and encumbrances whatsoever, and the respondents and all other persons whomsoever, as well such person or persons not parties to this proceeding, if any, as the parties hereto, are forever barred from claiming or asserting any manner of estate or interest in said lands, either legal or equitable, whatsoever, the person or persons not parties hereto, having or claiming such estate or interest, if any, being hereby remitted solely to the right of recourse upon the money so paid into Court by the petitioner, and to follow said moneys, or any part thereof, into the hands of any person or persons having the same without good right thereto, as provided by law.

V.

That the lands described in the petition, the title to which, through and by virtue of the proceedings had in this cause, becomes vested in the petitioner, the State of North Carolina, are more fully and particularly described as follows:-

W. H. QUEEN TRACT NO. 56

(As shown by survey made by North Carolina Park Commission)

NOTE: All bearings in this description were turned from the true meridian and all distances are expressed in chains of 66 feet.

Lying on the West side of Occonaluffy River, below the mouth of Couches Creek.

BEGINNING at Corner 1, which is Corner 1 of the H. K. Revis Tract (53), an 8" hickory with old marks, blazed and scribed C. Cor. IV.; Thence with four lines of the H. K. Revis Tract (53) S. 3-11 W., 31.98 chains, Corner 2, a pine with old corner marks on top of a ridge; N. 86-01 W., 15.26 chains, Corner 3, a chestnut post scribed R. Cor. III. A 20" chestnut, blazed and scribed B.T.-R. Cor. III bears S. 21-30 W., .28 chain distant. S. 2-32 W., 11.64 chains, Corner 4, a chestnut post scribed R. Cor. IV. A 15" black oak, blazed and scribed B.T. R-Cor. IV. bears N. 14-00 W., .15 chain distant; N. 39-28 W., 31.01 chains, Corner 5, which is Corner 7 of the Tom Childers Tract (51), a planted stone be-

side a 5" chestnut, scribed W.R.C. V. on a ridge. Thence with the meanders of the ridge a line of the Tom Childers Tract (51) S. 69-45 W., 5.14 chains, a point; N. 64-49 W., 2.23 chains a point; S. 84-19 W., 4.94 chains, a point; S. 80-29 W., 5.96 chains, Corner 6, a stake scribed F.F. Cor. IX. Thence, S. 19-10 E., 5.88 chains, Corner 7, a 24" dead post oak. Thence, S. 13-11 E., 8.25 chains, Corner 8, a chestnut post beside a dead pine with old marks, scribed F.F. X. Thence, down a spur ridge, with its meanders, S. 76-16 E., 6.30 chains, a point; S. 50-16 E., 4.97 chains, a point; S. 53-26 E., 1.88 chains, a point; S. 47-35 E., 4.48 chains, a point; S. 41-12 E., 4.06 chains, a point; S. 37-13 E., 2.22 chains, a point; S. 17-31 E., 5.92 chains, a point; S. 43-21 E., 1.18 chains, Corner 9, a locust post, scribed F.F. Cor. XI, in an old maple stump, on bank of a stream. Thence, S. 48-48 E., 3.77 chains, Corner 10, a sourwood post scribed F.F. Cor. XII. A 10" sourwood, scribed B.T.F.F. Cor. XII, bears N. 60-00 E., 14 chain distant. Thence, S. 79-58 E., 20.39 chains, Corner 11, a point with old witnesses at fence corner. Set a post scribed F.F. Cor. XIII. Thence S. 5-40 W., 2.50 chains, Corner 12, common to C. C. Nations and W. H. Queen, and in F. F. Floyd's line. Thence N. 58-37 E., 3.36 chains Corner 13, a fence post on bank of small stream. Thence, down the stream and with its meanders S. 39-20 E., 7.79 chains a point; S. 69-54 E., 1.28 chains, a point; S. 50-55 E., 2.77 chains, a point; S. 87-41 E., 3.30 chains, Corner 14, a point where public road crosses branch. Thence, with the meanders of the road, S. 18-12 W., 2.56 chains, a point; S. 65-01 W., 171 chains, Corner 15, a point at intersection with F. F. Floyd's line. Thence, S. 87-21 E., 5.00 chains, Oconalufy River flows S. 64-00 W., 9.75 chains, Corner 16, a stake near the railroad. Thence S. 70-33 E., 10.04 chains, Corner 17, a black oak stump with witnesses, on top of ridge. Thence, up the ridge with its meanders, N. 70-49 E., 4.15 chains, Corner 18, a chestnut oak stump with dogwood witnesses. N. 60-25 E., 4.32 chains, a point; N. 48-03 E., 3.18 chains, a point; N. 52-23 E., 1.28 chains, Corner 19, a point with a chestnut oak witness. Set a post scribed N-C-Q. N. 34-30 E., 5.11 chains, Corner 20, a red oak stump. N. 55-26 E., 2.35 chains, Corner 21, a black oak stump on a ridge. Set a sassafras post scribed Q-C-C. N. 26-08 E., 1.78 chains, Corner 22, a chestnut with corner marks. N. 4-33 E., 3.25 chains, Corner 23, a hickory with corner marks and witnesses. N. 28-46 E., 3.49 chains, a point; N. 56-12 E., 2.91 chains, a point; N. 3-32 W., 3.64 chains, Corner 24, which is Corner 4, of the M. B. Enloe Tract (57), a point at corner of fence. Thence, with two lines of the M. B. Enloe Tract (57), N. 13-00 E., 26.24 chains, Corner 25, a 24" black oak, with corner marks and witnesses. An 18" white oak, blazed and scribed B.T. bears N. 57-00 E., .35 chains distant. N. 0-27 W., 2.54 chains, Corner 26, which is Corner 3 of the J. A. Chambers Tract (55), a point at intersection of old marked lines. Set a post scribed C. on N. E. side, and Q on S. W. side. A 12" white oak, blazed and scribed B.T. bears S. 45-00 E., .16 chain distant. Thence, with three lines of the J. A. Chambers Tract (55), S. 75-03 W., 16.35 chains, Corner 27, a 12" black gum beside a fence, identified as his corner by Mr. Chambers. A 14" white oak, blazed and scribed B. T. bears S. 46-00 W., .15 chain distant; S. 88-01 W., 11.31 chains, Corner 28, a large rock in east edge of Oconalufy River. N. 34-19 W., 11.27 chains, Corner 29, a point in the public road, and on west bank of river, shown by J. A. Chambers as his corner. Thence, with two lines of the Leary Connor Tract (54), N. 42-13 W., 9.40 chains, Corner 30, a fence post, scribed C. Cor. V, where originally stood a dogwood corner. N. 83-28 W., 10.72 chains the place of BEGINNING, containing 356.20 acres.

VI.

IT IS FURTHER CONSIDERED, ADJUDGED AND DECREED BY THE COURT that all the costs of this proceeding properly incurred by both the petitioner and respondents, up to and including the costs of this

judgment, to be taxed by the Clerk, shall be paid by the petitioner. This shall be deemed the final judgment in this cause in respect to the rights, claims, interests and obligations of the petitioner, the State of North Carolina, and in respect of the title acquired by said petitioner in and to the lands and premises above described, but this cause is retained for the purpose of adjudication of any and all claims that have been or may hereafter be asserted in, to or against the money to be paid into Court by the petitioner, pursuant to the provisions of this judgment, and for no other purpose whatsoever.

This the 20th day of April, 1931.

(Signed) J.B. Cain
Clerk Superior Court,
Buncombe County, North Carolina.

No. 11½—Certificate of Clerk that J. P. was acting Justice at the time of signature, and Register's signature of Reception and Registration of same. Printed and for sale by Edwards & Broughton Company, Raleigh

STATE OF NORTH CAROLINA, Swain COUNTY.

The foregoing or annexed certificate of J. B. Cain
a CSC. ~~Justice of the Peace~~ of Buncombe County, is adjudged to be correct.

Let the said deed and the certificates, be registered.

Witness my hand and official seal, this 30 day of April 1931

V. A. Boering
Clerk of Superior Court.

STATE OF NORTH CAROLINA, Swain COUNTY.

Register's Office, _____ 19____

Received for registration on this 30 day of April 1931; then was
the foregoing Final Judgment registered in Book 59 on page 556

Frank Hyatt
Register of Deeds.

Heirs of law of W. H. Queen

S. A. Queen (widow)	Swain County
T. C. Queen and wife Mariam	Swain County
Candler Queen and wife _____ now in <i>Swain</i>	Glen County
Henry Queen	Swain County
Mary Floyd and husband Ed Floyd	Swain County
<i>Florence</i> Laurance Parker and husband Vernon	Asheville, N. C.
Coleman Queen and wife Otenna	State of Washington
Rufus B. Queen	State of Washington
Ava Amsberry and husband M. H. Amsberry	" " "

NOTE: The above is a true list of the names and residence of the widow and heirs attlaw of W. H. Queen deceased and except a rail road right of way deeded to the Ocona Lufty Rail Road Company by the above widow and heirs copy of which de ds are hereto attached ~~and~~ they are the sole owners of the W. H. Queen estate all of which is included in Tracr 56.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	(see back)	(same)	(same)
Grantees	Ocona Lufty Rail Road Company		

- Kind of Conveyance Right of Way Deed
- Date of Conveyance 7-18-17
- Is it properly executed.....
- Date of Entry and No.....
- Before what Officer acknowledged J. P. & H. P.
- Acknowledgments, regular yes
- If irregular, copy in full on back.....
- Did all grantors acknowledge..... yes
- Date of acknowledgment 6-18-17
- Was privy examination of wife taken..... yes
- Did officer affix Seal..... yes
- Was order or probate correct..... yes
- Does conveyance contain covenants—
- Date of filing for record..... 8-15-17
- (a) of seizin.....
- Book 44 Page 412
- (b) power to convey.....
- for Swain County.
- (c) against encumbrances.....
- Does deed contain any special limitations, provision or restrictions
- (d) against claims of all others.....
- Habendum clause (Quote full) To have and to hold said right of way and other rights her-by granted through and over said lands together with all privileges and appurtenances thereto belonging unto the said Ocona Lufty Rail Road Company its successors and assigns to a common carrier for the term of 30 years from this date.

Exact Description of Property

Right of way 30 feet wide for the construction
mainteance and operation of a rail road to be
operated as a common carrier for a period of
30 years. The land owned by W. H. Queen
deceased.

GRANTORS

S. A. Queen (widow)

T. C. Queen and wife Mariam Queen

Candler Queen (single)

Henry Queen (minor)

Mary Floyd and husband Ed Floyd

Florence Parker and husband Vernor Parker

