

DESCRIPTION OF THE BOUNDARY

OF THE

D. C. GASS TRACT (59)

Lying on the East side of Raven's Fork of Ocona Lufty River, about one mile above the forks of river.

Beginning at Corner 1, a stake in the Indian Boundary, S. 86-54 E., 3.66 chains from a chestnut oak, Indian Boundary Corner and being the S.E. corner of the A. J. Matthews Lot.

Thence, S. 86-54 E. ✓

With the Indian Boundary.

19.73 Corner 2, which is Corner 6 of the Mrs. F. H. Gass Tract, a point on top of a ridge.

Thence, with meanders of the ridge.

N. 12-45 E. ✓

7.74 A Point.

N. 12-58 W. ✓

2.81 A Point.

N. 3-50 E. ✓

5.18 Corner 3, a point on top of the ridge.

Set a post scribed G.

A 12" yellow pine, blazed and scribed B.T.-G. bears S. 71-00 E. .12 chain distant.

Thence, N. 88-55 W. ✓

20.03 Corner 4, a point in the center of Raven's Fork of Ocona Lufty River and in the line of the Parson Pulp and Lumber Co. Tract (68).

Thence, S. 17-40 W. ✓

With the river.

9.22 Corner 5, a point in the river, the N.W. Corner of the V. E. Quiet Tract (70).

Thence, S. 72-30 E. ✓

3.88 Corner 6, a stake, the N. E. Corner of the Church lot.

Thence, S. 21-06 W. ✓

5.17 The place of beginning, containing 31.3¹₄ acres.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE NORTH CAROLINA

REPORT ON TRACT NO. 59- D. C. GASS, CONTAINING
31.34 ACRES.

Location: This property is located at Havensford and adjoins the Indian Boundary as well as other small property owners in that vicinity.

Description: A small mountain farm occupied and cultivated by a party by the name of King, who intended to purchase it, but has no deed, and is willing to sell. The farm consists of about four acres bottom land under a high state of cultivation and the balance cut over woodland, which is very rocky and from which everything has been removed.

Improvements: The improvements are a three room box house in rather poor condition, although there is a concrete well, which has cost considerable money, a smoke house, and stable in fair condition and about fifty young apple trees.

Valuation:	Four acres bottom land	\$500.00
	Twenty-seven acres woodland	150.00
	House and other improvements	<u>217.00</u>
		<u><u>\$867.00</u></u>

An option has been taken for the above price.

1/2 # 59

NORTH CAROLINA PARK COMMISSION
ASHEVILLE, N. C

We beg to advise that we visited the premises of
D. C. Gass (one half the King property) on October 9, 1929
and find as follows:

2 acres bottom land	\$100.00
15 acres timber land	90.00
5 young apple trees	<u>5.00</u>
Total ✓	\$195.00 ✓

A. S. Patterson
W. T. Martin

Analysis of Title

Tract No. 59.

1. Tract No. 59 is wholly covered by Grant No. 224 to William Cathcart and partly covered by Grant No. 501 to Felix Walker. We have been unable in this Abstract to show a connected title from the State to the present owner and are, therefore, dependant upon possession under color for title.

2. The Abstract of Tract No. 59 is the same as the Abstract of Tract No. 58, reference being hereby particularly made to Paragraphs 1 to 18 inclusive of the Analysis of Title of said Tract No. 58 and also to the deeds referred to in said Analysis of Title.

3. On April 27, 1918, Mrs. F. H. Gass, who was then a widow, conveyed to D.C. Gass a tract of land containing fifteen acres which covers the locus in quo. This deed is duly executed and registered in Swsin County. There is excepted, however, from such deed a right of way for railroad from the Parsons-Pulp & Lumber Company thirty feed in width and running across the tract. Reference is hereby made to page 618 of Abstract of Tract No. 58 for the deed for said right of way. This right of way now belongs to the Appalachian Railway Company. It will be noted, however, that the deeds do not convey an easement but do convey the fee.

ABSTRACT OF DEED OR GRANT

Grantors
Grantees

In Preamble	As Signed	As Acknowledged
F. H. Cass		
D. U. Cass		

- Kind of Conveyance Gen. Warranty Deed
- Date of Conveyance 4-27-18
- Is it properly executed
- Date of Entry and No.
- Before what Officer acknowledged H. P.
- Acknowledgments, regular Yes
- If irregular, copy in full on back
- Did all grantors acknowledge Yes
- Date of acknowledgment 4-27-18
- Was privy examination of wife taken No
- Did officer affix Seal Yes
- Was order of probate correct Yes
- Does conveyance contain covenants—
- Date of filing for record 5-6-18
- Does conveyance contain covenants—
- Book 45 Page 99
- for Seminole County.
- Does deed contain any special limitations, provisions or restrictions No
- Habendum clause (Quote fully) To have and to hold the aforesaid tract or parcel of land and all privileges and appurtenances thereto belonging to the said D. U. Cass his heirs and assigns to their only use and behoof forever.

Exact Description of Property

BEGINNING

On a Chestnut Oak on Northwest bank of the river near W. S. Hughes House and runs up said river 61 poles to a rock; then East to the top of the ridge; then a Southeast direction to the Indian Boundary line; then with Indian Boundary line to the beginning corner. Containing fifteen acres more or less.

There is excepted from the above right of way for railroad for Parsons Pulp and Lumber Company, 30 feet running through above tract, said right of way belonging to Parsons Pulp and Lumber Company.

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 59.

IT IS HEREBY CERTIFIED: That the title to the within described land as disclosed in the attached abstract which contains a full, complete and correct abstract of all instruments and court proceedings of record affecting the same from and including the beginning entry there of has been carefully examined and noted, and that the following named owner.....:

D. C. Gass.

.....12..... 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. Since we are not able to show a connected title from the State to the present owner, we are, therefore, dependent upon possession under color for a title to this land. It appears from the affidavit on page that the title of Mrs. F. H. Gass, predecessor in title of D. C. Gass, had ripened by long, continuous possession under color, before her conveyance to the said D. C. Gass on April 27, 1918; so that D. C. Gass acquired a good title to said land under his deed of April 27, 1918.
2. Taxes for the year 1928, amounting to \$4.52 are unpaid and outstanding.
3. The deed from Mrs. F. H. Gass, widow to Parsons Pulp & Lumber Company dated March 19, 1918 and the deed from the Parsons Pulp & Lumber Company to the Appalachian Railroad Company dated March 9, 1920 convey the fee and not an easement for a right of way; so that the acreage covered by said deed should be deducted from the acreage of D. C. Gass as shown by the survey, that is to say .65 acres should be deducted from the total acreage belonging to D. C. Gass as shown by the survey.

GASS LAND.

DEED

F.H.GASS

Dtae.

April 27, 1918.

TO

Reg.

Book 45.p.99.

D.C.GASS.

Swain County.

15 Acres

DESCRIPTION.

^{south}
Up River 61 poles

BEGINING on a Chestnut Oak, on the N.W. bank
of ~~River~~, near W.S. Hughes' House and runs

to a Rock; then

East

to the top of the ridge; then a

S.E. direction

to the Indian Boundary line; then

With I.B.line

to the BEGINING, corner, cor. 15

A. more or less.

There is excepted from the above
right of way for railroad for
Parrsons Buff & Friends Co., 30 feet
running through above tract, said
right of way belonging to Parsons
Buff & Fr. Co.

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 59.

IT IS HEREBY CERTIFIED: That the title to the within described land as disclosed in the attached abstract which contains a full, complete and correct abstract of all instruments and court proceedings of record affecting the same from and including the beginning entry there of has been carefully examined and noted, and that the following named owner.....:

D. C. Gass

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. Since we are not able to show a connected title from the State to the present owner, we are, therefore, dependent upon possession under color for a title to this land. It appears from the affidavit on page _____ that the title of Mrs. F. H. Gass, predecessor in title of D. C. Gass, had ripened by long, continuous possession under color, before her conveyance to the said D. C. Gass on April 27, 1918; so that D.C. Gass acquired a good title to said land under his deed of April 27, 1918.

2. The deed from Mrs. F. H. Gass, widow to Parsons Pulp & Lumber Company dated March 19, 1918, and the deed from the Parsons Pulp & Lumber Company to the Appalachian Railroad Company dated March 9, 1920, convey the fee and not an easement for a right of way; so that the acreage covered by said deed should be deducted from the acreage of D. C. Gass as shown by the survey, that is to say .65 acres should be deducted from the total acreage belonging to D. C. Gass as shown by the survey.

(COPY)

31.34
31.65
31.69
01C
1A

This 5th day of December, 1928.

Address.....

Robert Wren
Attorney.

Dear Mr. Reider
of West Rutherford
and vicinity N.C
8 V ap 8-21-29

Mr. S. F. Chapman
Ashville N.C

Dear sir

Will write you a few lines
in regards to my farm and
selling it to the Park I have
a Farm on Oconee Luftee Rivers near
Rutherford of 141 acres Park away
18 acres River Bottom Land 18 acres
Grass Pasture Land Bal in timber not
Cut over and 3 Houses 1 Goat Barn
and the Price I have bin offered
for it will sure not be a
considered at all by me know
I am not afraid to the Park
in any way and would be more
than Glad to get to gather
on the Price on a friendly

L

Way think it much Better and
a Good Many more hear on the
Same way if you all could
Get some Good Men to come
out hear and appraise this
Land I think you all could
trade for it with out any
trouble at all or most of it
any way you could come and
Get one or two more to come
With you and I am sure
you can buy most of it
any way so hoping to hear
from you at an early date
I remain Respt yours
Taylor Gass
Barnsford

P.O. Box #15

N.C.

1/1 #59
NORTH CAROLINA PARK COMMISSION
ASHEVILLE, N. C.

We beg to report that we visited the premises of George King, (one-half the D. C. Gass property) on October 9th, 1929 and find as follows:

2 acres of bottom land	\$200.00
14 acres woodland	84.00
1 3-room house	250.00
1 smoke house and well house	25.00
1 stable	25.00
1 garden fenced with woven wire	30.00
45 young apple trees	45.00
15 young grape vines	8.00
Total	\$667.00

C. S. Patterson
W. T. Martin

STATE OF NORTH CAROLINA

Swain

COUNTY. }

THIS DEED, Made this 11th day of January A.D. 1950, by and between
D. C. Gass and wife, Dona Gass
of Swain County, North Carolina, hereinafter called GRANTORS, whether one or more, and
THE STATE OF NORTH CAROLINA, hereinafter called GRANTEE:

WITNESSETH:

That the said grantors for certain good and valuable considerations moving them thereto, and particularly
the sum of ----- EIGHT HUNDRED SIXTY-SEVEN ----- (\$867.00) Dollars,
to them paid by the Grantee the receipt of which is hereby acknowledged, have bargained and sold, and by
these presents do hereby bargain, sell and convey unto the said grantee, its successors and assigns, the following
described lands in Ocona Lufty Township Swain County, State of North
Carolina, particularly described as follows, viz.:

TRACT NO. 59:

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

Lying on the East side of Raven's Fork of Ocona Lufty River, about
one mile above the forks of river.

BEGINNING at corner 1, a stake in the Indian Boundary South 86-54
East, 3.66 chains, from a chestnut oak, Indian Boundary corner and
being the S. E. corner of the A. J. Matthews lot; thence South
86-54 East with the Indian Boundary 19.73 chains, corner 2, which
is corner 6 of the Mrs. F. H. Gass Tract, a point on top of a ridge;
thence with meanders of the ridge North 12-45 East 7.74 chains;
North 12-58 West 2.81 chains; North 3-50 East 5.18 chains, corner 3,
a point on top of the ridge, set a post scribed G, a 12" yellow
pine, blazed and scribed B.T.-G bears South 71-00 East .12 chain
distant; thence North 88-55 West 20.03 chains, corner 4, a point
in the center of Raven's Fork of Ocona Lufty River and in the line
of the Parson Pulp & Lumber Co. tract (68); thence South 17-40 West
with the river 9.22 chains, corner 5, a point in the river, the
N. W. corner of the V.E. Quiett Tract (70); thence South 72-30
East 3.88 chains, corner 6, a stake, the N. E. corner of the Church
lot; thence South 21-06 West 5.17 chains, the place of BEGINNING,
containing 31.34 acres.

SIGNED, SEALED AND DELIVERED
in the presence of

D. C. Gass (Seal)
Dona Gass (Seal)

(Seal)

(Seal)

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

I, Will W. Wiggins, a. Notary Public.

do hereby certify that..... D. C. Gass.

and Dona Gass

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

Witness my hand and Official seal this 11th day of January, A.D. 1950

My commission expires 12-19-30

Will W. Wiggins
Notary Public.

STATE OF NORTH CAROLINA.....Swain.....County.

The foregoing certificate.....of.....Will W. Wiggins.....
 of.....Swain.....County, is.....adjudged to be correct. Let the instrument and the certificate
 be registered.

This.....13.....day of.....January.....

G. T. Brown
G. T. Brown, A.D. 1930

Clerk Superior

Warranty Deed

D.C. Gass and wife, Dona.

TO

THE STATE OF NORTH CAROLINA

Consideration - - - \$ 867.00

Dated 11th day of Jan., 1930

Filed for registration on the 13.....
 day of Jan., 1930, at 1:00
 o'clock P.M., and registered in the office
 of the Register of Deeds for.....

Swain

County, North Carolina, on the 13.....
 day of Jan., 1930, in Book
 No. 58 of Deeds, at page 468

Ellis Burnette
Ellis Burnette, Register of Deeds.

FEES.