

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 scfired 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 31.34 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 Ravensford 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	217.00
	<hr/>
	\$867.00

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

W. S. Patterson  
W. J. 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. Cass, who was then a widow, conveyed to D.C. Cass a tract of land containing fifteen acres which covers the locus in quo. This deed is duly executed and registered in Swain County. There is excepted, however, from such deed a right of way for railroad from the Parsons-Pulp & Lumber Company thirty feet 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

	In Preamble	As Signed	As Acknowledged
Grantors	F. H. Cass		
Grantees	D. C. 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
- Was privy examination of wife taken No
- Date of acknowledgment 4-27-18
- Was order of probate correct Yes
- Did officer affix Seal Yes
- Date of filing for record 5-6-18
- Does conveyance contain covenants—
- Book 45 Page 99
- (a) of seizin Yes
- for Swain County.
- (b) power to convey Yes
- Does deed contain any special limitations, provisions or restrictions No
- (c) against encumbrances Yes
- (d) against claims of all others Yes
- 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. C. 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

Treat 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. 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.

<sup>said</sup>  
Up River 61 poles  
East  
S.E.direction  
With I.B.line

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

to a Rock; then

to the top of the ridge; then a

to the Indian Boundary line; then

to the BEGINING, <sup>corner</sup>, <sup>cont.</sup> 15

A. more or less.

There is excepted from the above  
right of way for railroad for  
Paisano Culf & Lumber Co., 30 feet  
running through above tract. and  
right of way belonging to Paisano  
Culf & Lbr. 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  
- .65  
-----  
30.69

OK

RB

This 5th day of December, 1928

Address.....

Attorney.

My dear  
said here  
is been  
app  
Ramsford  
N.C  
8-21-29

Mr S.F. Chapman

Asheville 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 Oona Lefty River Near  
Ramsford of 141 Aers Park away  
18 aers River Bottom Land 18 aers  
Grass Pasture Land Bal in Timber not  
Cut Over and 3 Houses 1 good Barn  
and the Price I have Bim offered  
for it Will sure not be  
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 Gratter  
on the Price in a Friendly

May 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  
 Bammsford  
 N.C

P.O. Box #15

1/2 #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	<u>\$667.00</u>

C. S. Patterson  
W. Martin

STATE OF NORTH CAROLINA

Swain

COUNTY. }

THIS DEED, Made this 11th day of January A.D. 1930, 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.:

T R A C T N O. 5 9:

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. 1930

*Will W. Wiggins*  
Notary Public.

My commission expires 12-19-30



# 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 Burnett  
Register of Deeds.

FEES.

STATE OF NORTH CAROLINA Swain County.

The foregoing certificate of Will W. Wiggins

a Notary Public

of Swain County, is adjudged to be correct. Let the instrument and the certificates be registered.

This 13 day of January

A.D. 1930

W. A. Brownning, Clerk Superior