

DESCRIPTION OF THE BOUNDARY

OF THE

H. N. CONNOR AND J. NATIONS TRACT

(60)

Lying on the head of a small tributary of Raven's Fork of Ocona Luffy River, near the lower end of Hughe's Ridge.

Beginning at Corner 1, which is Corner 4 of the M.B. Enloe Tract (57), a point at corner of Enloe's fence.

Thence, with five lines of the M. B. Enloe Tract (57).

S. 54-14 E.

7.19 Corner 2, a 24" chestnut scribed E.

S. 15-18 W.

.76 Corner 3, a 30" white oak scribed E.

S. 12-23 W.

4.97 Corner 4, a large walnut in M. B. Enloe's yard, shown as corner by Mrs. Enloe.

S. 46-29 W.

4.06 Corner 5.

Set a post scribed E.

A 14" chestnut, blazed and scribed B.T.-E., bears S. 70-00 W. .10 chain distnat.

S. 7-21 E.

5.27 Corner 6, which is Corner 15 of the John Smith Heirs Tract (64), a point shown by Hillard Enloe as site of old dogwood corner.

Set a locust post scribed E.

Thence, S. 47-42 W.

With a line of the John Smith Heirs Tract (64).

2.21 Corner 7, a point on bank of stream, and at corner of garden.

Thence, N. 41-20 W.

With a line of the W.C. Caldwell Tract (61).

8.20 Corner 8, a black oak stump on ridge top.

Set a sassafras post scribed Q-C-C.

Thence, with 5 lines of the W. H. Queen Tract
(56), along the ridge top.

N. 26-08 E.

1.78 Corner 9, a chestnut with old marks.

N. 4-33 E.

3.25 Corner 10, a hickory with witnesses, on ridge top.

N. 28-46 E.

3.49 A Point.

N. 56-12 E.

2.91 A Point.

N. 3-32 W.

3.64 The place of beginning, containing 10.73 acres.

NORTH CAROLINA PARK COMMISSION

We beg to report that we visited the premises of J. Nations on October 8, 1929 and find as follows:

9 $\frac{1}{2}$ acres of land	\$100.00
1 3-room house	250.00
1 smoke house	25.00
1 garden fenced	15.00
1 woodhouse	8.00
1 stable, hogpen and crib and closet	60.00
1 other garden fenced with wire	12.00
1 out building	5.00
Total	\$475.00

G. S. Patterson
A. T. Martin

2/20/30 #62
 9.69 A.

20 7/10/30 -
 2 3/4
 10 1/2 15-
 3 4 5

Analysis of Title

Tract No. 60.

1. Tract No. 60 is covered by Grant No. 224 to William Cathcart. The title passed from William Cathcart by mesne conveyances to W. H. Thomas as will appear by reference to Abstract of Tract No. 11, pages 169 to 182 inclusive.

2. On November 1, 1889, James R. Thomas as Guardian of William H. Thomas conveyed to A. Nations a tract of land containing forty-four and one-half acres which covers Tract No. 60 as well as several other small tracts. This deed is duly executed and is registered in Swain County. However, we do not find the proceedings authorizing the Guardian to make and execute this deed. When found these proceedings will be inserted in this Abstract. Page 633 of Abstract.

3. There after A. Nations died leaving as his heirs at law, Jane Parker, wife of Dan Parker, Minnie Smith, wife of John Smith and R. V. Nations. On July 1, 1903, Jane Parker and husband Dan Parker, Minnie Smith and husband John M. Smith, conveyed to R. V. Nations all their interest in two tracts of land containing in the aggregate about thirty-four acres. The second tract therein described includes tract No. 60. This deed is duly executed and is registered in Swain County. Page 634 of Abstract.

4. On February 20, 1907, R. V. Nations and wife, Laura conveyed to H. A. Smith a tract of land containing twenty-five acres which includes the south portion of Tract No. 60, as well as certain other lands. This deed is duly executed and registered in Swain County. Page 636 of Abstract.

5. On January 15, 1912, H. A. Smith with the joinder of his wife, S. E. Smith conveyed to J. M. Smith a tract of land containing twenty acres, being the same land conveyed by the preceding deed. This deed is duly executed and is registered in Swain County. Page 637 of Abstract.

6. On February 19, 1907, R. V. Nations with the joinder of his wife, Laura conveyed to J. M. Smith a tract of land containing ten acres, being the upper portion of Tract No. 60. This deed is duly executed and is registered in Swain County. Page 638 of Abstract.

7. On December 27, 1922, J. M. Smith and wife Elmina Smith conveyed to H. N. Connor and wife Fannie Connor a tract of land containing fifteen acres more or less, being tract No. 60. This deed is duly executed and is registered in Swain County. Page 639 of Abstract.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Jas. R. Thomas Guardian of Wm. H. Thomas	✓	Jas. R. Thomas True grantor
Grantees	A. Nations		

- Kind of Conveyance *Deed*
- Date of Conveyance *11-1-89*
- Is it properly executed *yes*
- Date of Entry and No.
- Before what Officer acknowledged *C. S. C.*
- Acknowledgments, regular *no*
- If irregular, copy in full on back
- Did all grantors acknowledge *yes*
- Was privy examination of wife taken *no*
- Date of acknowledgment *4-3-91*
- Was order of probate correct *yes*
- Did officer affix Seal
- Date of filing for record *4-18-91*
- Does conveyance contain covenants—
- Book *12* Page *422*
- (a) of seizin *no*
- for *Swain* County.
- (b) power to convey *no*
- (c) against encumbrances *no*
- (d) against claims of all others *yes*
- Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully) *To have and to hold the said piece or parcel of land to the only proper use of the said Alfred Nations his heirs administrators and assigns from Jas. R. Thomas Guardian of Wm. H. Thomas with all and singular the rights, liberties and appurtenances thereto in any way appertaining.*

Exact Description of Property

adj the lands of A. Nations & the home land of Alfred Nations and other bounded as follows, Beg. on a forked cornered S. of 7th St. S. corner and runs S 41 W 71 p to a W. O. then S 5 W 40 p to a Black Walnut then S 72 p to a X then N 62 W 36 p to a X on top of Nations Ridge in Nations line, then with the meanders of said ridge and Nations line N 17 1/2 E 22 p to a S. oak. then N 45 W 37 p to a small S. oak. then N 40 W 40 p to a Spanish oak then N 68 E 26 p to a W. Oak W. H. Thomas corner then N 40 E 14 p to a small W. Oak then N 78 E 16 p to a hickory & Black gum then N 19 E 21 p to a X point then N 54 E 15 p to a X then N 7 W 10 p to a S. oak. then N 20 E 20 p to a black oak then N 57 W 7 p to a X then N 19 p to a small hickory then N 13 E 30 p to a hickory S. of Nations corner. then with his line S 63 E 14 p to a W. O. then S 23 E 20 p to a black oak then S 2 E 25 p to a small cornered then S 12 1/2 W 24 p to a black walnut then S 48 W 15 p to a X then S 10 E 21 p to the log. containing 44 1/2 ac.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Lane Parker Dean Parker Minnie Smith John Smith	Dean Parker M. Smith Elmira Smith	Dan Parker & co M. Smith Elmira Smith
Grantees	B.V. Nations Laura Nations		

- Kind of Conveyance Deed
- Date of Conveyance 7-1-03
- Is it properly executed J.P.
- Date of Entry and No.
- Before what Officer acknowledged J.P.
- Acknowledgments, regular yes
- If irregular, copy in full on back
- Did all grantors acknowledge yes
- Date of acknowledgment 7-20-03
- 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 7-27-03
- (a) of seizin no
- Book 24 Page 452
- (b) power to convey no
- for swan County.
- (c) against encumbrances no
- Does deed contain any special limitations, provisions or restrictions
- (d) against claims of all others no

17. Habendum clause (Quote fully) To have & to hold the above said parcel of land with all the privs & appurtenances thereto to the said parties of the second part their heirs & assigns forever

Exact Description of Property

All the The following described land the same be the interest which the said parties of the first part have at law & the late A Nations deceased have in that tract or parcel of land here in after described the same be the share allotted by the Commissioners chosen & appointed by said heirs at law to pay off & divide the estate of said A Nations deceased to the said parties of the second part

First Tr Begin at a stake at turn of rd + run = W 6 P to a stake on top of ridge then N 75 W 6 P to a stake on ridge then W 14 P to st then N 25 W 14 P to st then N 60 W 8 P to st then N 46 W 11 P to st to N 20 E 20 P to rock R.V. Nations corner on east side of branch then N 85 E 20 P to rock then S 24 E 19 P to a st then S 27 E 14 P to st then S 17 E 2 P to st the being out 9 acres

Second Tr Begin on a rock R.V. Nations + John Smith corner on bank of rd runs N 66 W 4 P to a rock on rd then N 17 W 13 P to bush on branch then N 35 W 18 P to st in field then 2 E 46 P to dogwood in W H Owens line then N 20 E 10 P to chest then 12 P to a hickory then N 20 E 12 P to st then (over)

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N 45 W 18 P to white Oak Then N 15 W 10 S to st on ridge
Then N 10 E 18 P to Chest Then N 19 E 16 P to MB Anlson
Corner Then S 63 E 13 P to white Oak Then S 23 E 18
P to white Oak Then S 1 W 25 P to st Then S 13 W
26 P to Walnut Then S 48 W 15 P to Mulberry Then
S 10 E 21 P to MB Anlson W.S. Hughes Corner Then
S 42 W 20 P to white Oak Then S 24 E 22 P to
a stake in Hughes line Then S 20 W 12 P to white
Oak Then S 39 W 16 P to rock the begin
Corner Cont 25 acres

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	R. V. Nations & Wif Laura	✓	✓
Grantees	H. A. Smith		

- Kind of Conveyance W. Deed
- Date of Conveyance 2-20-07
- Is it properly executed Yes J.P.
- Date of Entry and No. Yes
- Before what Officer acknowledged Yes
- 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 2-23-07
- Was order of probate correct Yes
- Did officer affix Seal
- Date of filing for record 7-9-08
- Does conveyance contain covenants—
- Book 32 Page 476
- (a) of seizin Yes
- (b) power to convey Yes
- (c) against encumbrances Yes
- (d) against claims of all others Yes
- for Swain County.
- Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully) To have & to hold the above said tract of land and all priv. & app. rights thereon to the said H. A. Smith his heirs and assigns to him and their heirs and assigns

Exact Description of Property

Reg m a W. O. R. V. Nations & W. S. Hughes corner and run a conditional line up a ridge a north west direction 39 ft to a stake in a. H. corner line just over top of ridge, then N 33 E 22 ft to a s. oak. N 45 E 8 ft to a dogwood, N 5 E 10 ft to a Oak; the corner then with a conditional line E 4 ft to a b. oak. Then S. E. with conditional line 20 ft to a X the corner S 10 E 12 ft to W. B. Ellison the S. Hughes corner S 42 W 20 ft to a W. O. the W. B. corner 20 a + or -.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	H.A. Smith & wife S.E. Smith	✓	✓
Grantees	J.M. Smith		

- Kind of Conveyance Deed
- Date of Conveyance 1-15-12
- Is it properly executed J.P.
- Date of Entry and No. 4-10
- Before what Officer acknowledged J.P.
- Acknowledgments, regular yes
- If irregular, copy in full on back yes
- Did all grantors acknowledge yes
- Date of acknowledgment 1-15-12
- Was privity examination of wife taken yes
- Did officer affix Seal yes
- Was order of probate correct yes
- Does conveyance contain covenants—
- Date of filing for record 1-25-12
- (a) of seizin yes
- Book 38 Page 73
- (b) power to convey yes
- for Swain County.
- (c) against encumbrances yes
- Does deed contain any special limitations, provisions or restrictions no
- (d) against claims of all others yes

17. Habendum clause (Quote fully)

to have and to hold the above said tract of land and all privileges and appurtenances thereto lawfully obtained unto J.M. Smith his heirs & assigns forever and their heirs and assigns.

Exact Description of Property

Beginning on a W. oak R.V. Nations & W.S. Hays line corner and run a conditional line up a ridge N.W. direction 39 p to a x in W.H. Smiths line just top of ridge N 33 E 22 p to a S.O. N 45 E 8 p to a dog wood N 50 E 10 p to Chit the corner. Then with conditional line E. 4 p to a B. oak then Southward with conditional line 26 p to a x W. corner S 10 E 12 p to M.B. Eubanks & W.S. Hays line corner. S 42 W 20 p to a W.O. then by 2 Containing 20 acres + or -.

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	R. V. Nations & wife Laura Nations	✓	✓
Grantees	J. M. Smith		

- Kind of Conveyance Deed
- Date of Conveyance 2-19-07
- Is it properly executed JP
- Date of Entry and No. JP
- Before what Officer acknowledged JP
- Acknowledgments, regular yes
- If irregular, copy in full on back yes
- Did all grantors acknowledge yes
- Date of acknowledgment 2-23-07
- Was privy examination of wife taken yes
- Did officer affix Seal yes
- Was order of probate correct yes
- Does conveyance contain covenants—
- Date of filing for record 11-1-09
- (a) of seizin yes
- Book 34 Page 67
- (b) power to convey yes
- for Swan County.
- (c) against encumbrances yes
- Does deed contain any special limitations, provisions or restrictions
- (d) against claims of all others yes

17. Habendum clause (Quote fully) To have & to hold the above said 1/2 of land & all priv & appur there to belong to the said J. M. Smith in heirs & assigns to him & their only heirs

Exact Description of Property

Begin on a stake run N.W. 26 P to a black oak on top of a ridge then W to a chest W.H. Queen line 4 P to the corner then N 12 P. to a Hickory, then 20 E 12 P to a stake then N 45 W 18 P to a white oak then N 15 W 10 P to a stake on a ridge M.B. Enloe & R.V. Nations corner then with the cond. line of M.B. Enloe & R.V. Nations to a stake in their line then a S.E. direction 29 P to a stake the corner then S 13 W 26 P to a Walnut in M.B. Enloe's yard then S 48 W 15 P to a mulberry then S 10 E 9 P to a stake the begin corner
Cont 10 acres more or less

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	J M Smith + wif Elmina	✓	✓
Grantees	H N Connor + wif Fanne Connor		

- Kind of Conveyance Warranty Deed
- Date of Conveyance 12-27-22
- Is it properly executed no
- Date of Entry and No.
- Before what Officer acknowledged N.P.
- Acknowledgments, regular yes
- If irregular, copy in full on back 12-28-22
- Did all grantors acknowledge yes
- Date of acknowledgment 12-28-22
- Was privy examination of wife taken yes
- Did officer affix Seal yes
- Was order of probate correct yes
- Does conveyance contain covenants
- Date of filing for record 7-6-23
- (a) of seizin yes
- Book 45 Page 468
- (b) power to convey yes
- for Swan County.
- (c) against encumbrances yes
- Does deed contain any special limitations, provisions or restrictions
- (d) against claims of all others yes

17. Habendum clause (Quote fully) To have + to hold the above and be on parcel of land + all priv + appur there to belonging to the said J M Smith + his wife Elmina Smith their heirs + assigns to the only use + behoof forever

Exact Description of Property

Beginning on a dogwood I.C. Queens + W.C. Caldwell corner runs $3\frac{1}{2}$ P to a chest with I.C. Queens + W.C. Caldwell line. Then N.W. 26 P to a black oak on top of the ridge Then W to Chestnut W.H. Queens line 4 P to the corner Then N 12 P to a hickory Then 20 E 12 P to a stake. Then N 45 W 18 P to a white Oak Then N 15 W 10 P to a stake on ridge M.B. Enloe + R.V. Nations corner Then with the conditional line of M.B. Enloe + R.V. Nations to a stake in their line a S.E. direction 29 P to a stake the corner Then S 13 W 26 P to a Walnut in M.B. Enloe yard Then S 48 West 15 P to a Mulberry Then 10 E 19 P to a stake the corner Then with the road $4\frac{1}{2}$ P. Then with conditional line between J.M. Smith + W.C. Caldwell to the beginning corner a dogwood Cont 15 acres more or less

NORTH CAROLINA

SWAIN COUNTY

D. F. Connor being duly sworn deposes and says that he is 73 years of age and has resided in Swain County for 50 years.

Affiant further states that he is familiar with the ownership and possession of a tract or parcel of land in Swain County belonging to H. N. Connor more particularly described as follows:

"BEGINNING on a dogwood T. C. Queen and W. C. Caldwell corner runs $3\frac{1}{2}$ poles to a chestnut with T. C. Queen's and W. C. Caldwell's line; then N. W. 26 poles to a black oak on top of ridge; then W. to chestnut, W. H. Queen's line 4 poles to the corner; then N. 12 poles to a hickory; then 20 E. 12 poles to a stake; then N. 45 W. 18 poles to a white oak; then N. 15 W. 10 poles to a stake on ridge M. B. Enloe's and R. V. Nations' corner; then with the conditional line of M. B. Enloe and R. V. Nations to a stake in their line a S. E. direction 29 poles to a stake the corner; then S. 13 W. 26 poles to a walnut in M. B. Enloe's yard; then S. 48 W. 15 poles to a mulberry; then 10 E. 19 poles to a stake the corner; then with the road $4\frac{1}{2}$ poles; then with conditional line between J. M. Smith and W. C. Caldwell to the BEGINNING corner a dogwood. Containing 16 acres more or less."

That the said H. N. Connor and those under whom he claims, to-wit:

J. M. Smith
H. A. Connor
R. V. Nations
Jane and Dan Parker
Minnie and John Smith
A. Nations

have been in the open notorious continuous and adverse possession of the said tract of land described as aforesaid for thirty years and more, cultivating portions thereof, cutting timber and wood therefrom and making such other uses as the lands are susceptible of.

D. F. Connor

Abstract of Satisfied Mortgages or Deeds of Trust

(NORTH CAROLINA)

Below give language of release or cancellation, and if by other than the original payee the authority must be shown by which the cancellation or release is made.

H.A. Smith & W. S. L. 2
Smith

Kind of instrument *Deed Trust*
Date of instrument *12-29-10*
Consideration \$ *70.00*
Maturity date *1-24-12*
Is it properly executed? *no*

Julia E Chambers
of
J. H. Chambers

Date acknowledged *8-7-11*
Before what officer acknowledged *E. L. C*
Was privy examination of wife held? *no*
Date of filing for record *8-7-11*
Recorded in Book *6* Page *335*
County *Strom*

DESCRIPTION OF PROPERTY

Begin on a white Oak R. V. Nations & W. S. Hughes corner runs up a ridge N.W. direction 39° 8' to a W. H. Owens line then 33 E 22° to a Spanish Oak. N 45 E 8° to a dog wood N 50 E 10° to a Chest then a bond. line 24° to a B. O. then Southward with bond line 26° to st then S 10 E 12° to M. B. Pardee & W. S. Hughes corner then S 42 W 20° to a white oak being 802 Cont 20 acre more or less

ONLY ONE INSTRUMENT TO BE ABSTRACTED ON THIS PAGE

THE RELEASE OR CANCELLATION OF ABOVE MORTGAGE OR DEED OF TRUST IS AS FOLLOWS:

This Deed of Trust having been paid in full & here by Council & release & cancel

This may be 1913

W. S. L.

M. B. Connerger
Regy of Deeds

J. A. Chambers

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 60.

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~~s~~:

H. N. Connor and wife, Fannie Connor

are 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. H. N. Connor appears to have a connected title from the State of North Carolina to himself, which appears to be regular in all respects except that the Abstract does not show the proceedings authorizing the Guardian of William H. Thomas to execute deed to A. Nations. In order to cure such omission we are procuring an affidavit of possession from one, D. F. Connor, who states that the said H. N. Connor and those under whom he claims have been in the possession of said premises for a period of thirty years. This showing of possession should make a good title in H. N. Connor. Tract No. 60 is listed on the map as belonging to H. N. Connor and J. Nations, but so far we have been unable to find what interest, if any, J. Nations has in said tract, at least the records do not disclose that he has any interest.

2. Taxes for the year 1928, amounting to \$ _____ are unpaid and outstanding. We have been unable to find any land listed in the name of H. N. Connor.