

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 Lufty 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 1¹/₂" 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:

9½ 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

A. S. Patterson

A. C. Martin

2 M.M. A. 62
9.69 A.

2 1/2 houses -	125
2 Barns	40
1 smoke house	15
10 fence posts	345

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 the grantor
Grantees A. Nations		

1. Kind of Conveyance Deed
 2. Date of Conveyance 11-1-89
 3. Is it properly executed Yes
 4. Date of Entry and No.
 5. Before what Officer acknowledged C. S. Q.
 6. Acknowledgments, regular No
 7. If irregular, copy in full on back
 8. Did all grantors acknowledge Yes
 9. Date of acknowledgment 4-3-91
 10. Was privy examination of wife taken No
 11. Was order of probate correct Yes
 12. Date of filing for record 4-18-91
 13. Book 12
 for Levain Page 422
 County.
 14. Does conveyance contain covenants—
 (a) of seizin No
 (b) power to convey No
 (c) against encumbrances No
 (d) against claims of all others No
 15. 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 sole proper use of the said Alfred Nations his
 heirs, administrators or assigns for ever. Jas. R. Thomas, Guardian
 of Wm. H. Thomas, with all and singular the trees & minerals and appurte-
 nances thereto belonging or in anywise appertaining.

Exact Description of Property

on the lands of A. Nations & the house lands of Alfred Nations and
 other lands as follows, beginning at a forked survey rod J. J. Neff line
 corner and runs S 41 E 21 p to a W. O. tree S 55 W 40 p to a
 Black Walnut, then S 72 p to a X tree N 62 W 36 p to a X
 on top of Neff's Ridge in Neff's line, then with the meanders
 of said ridge out Neff's 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 special
 oak then N 68 E 26 p to a W. oak w. N. Neff's corner tree
 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 J. J. Neff's corner tree with this line
 S 62 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 covered 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 beginning
 containing 44 1/2 acres.

ABSTRACT OF DEED OR GRANT

Jane Parker		Dean Parker	Dan Parker & wife
Grantors	In Preamble	As Signed	As Acknowledged
	Dean Parker Minnie Smith John Smith	Mrs Parker M. Smith Elmira Smith	Mrs Parker M. Smith & wife Elmira Smith
Grantees	R. V. Nations Laura Nations		

- Kind of Conveyance Deed.
- Is it properly executed yes
- Before what Officer acknowledged J. P.
- If irregular, copy in full on back 7-20-03
- Date of acknowledgment 7-20-03
- Did officer affix Seal.
- Does conveyance contain covenants-
 - of seizin no
 - power to convey no
 - against encumbrances no
 - against claims of all others no

- Date of Conveyance 7-1-03
- Date of Entry and No.
- Acknowledgments, regular yes
- Did all grantors acknowledge yes
- Was privy examination of wife taken yes
- Was order of probate correct yes
- Date of filing for record 7-27-03
- Book 24 Page 452 for swar County.
- Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully)
 To have & to hold the aforesaid to aforesaid
 of land with all the privs & aperents belonging to the land for life & the
 several parts thereof to his & his wife & their heirs & assigns
 forever

Exact Description of Property

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

First Tr. Beginning at a stake at turn of rd & run N 68° to a
 stake on top of ridge Then N 75 W 68° to a hollow ridge Then W
 W 14° to st Then N 60 W 8° to st Then N 46 W 11° to st & to
 Nations corner Then N 20 L. 20° to rock Then N 85 E 20° P
 29 E 24° to a buck Then S 24 E 19° to a st Then S 27 E 14° P
 to st Then S 17 E 2° to st the beginning point 9 acres

Second Tr. Beginning on a rock R. D. Nations & John Smith
 N 17 W 13° to buck on branch Then N 66 W 4° to a rock by rd Then
 Then S 2 E 46° to dogwood in W H. Davies line Then N 20 E 10° P
 to chest Then 12° to a hickory Then N 20 E 12° to st then
 corner

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

ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	R. V. Nations & W. S. Hugles	✓	✓
Grantees	H. A. Smith		

1. Kind of Conveyance W. Deed
3. Is it properly executed Yes J. P.
5. Before what Officer acknowledged.
7. If irregular, copy in full on back.
9. Date of acknowledgment 2-22-07
11. Did officer affix Seal.
13. Does conveyance contain covenants-
 - (a) of seizin Yes
 - (b) power to convey Yes
 - (c) against encumbrances Yes
 - (d) against claims of all others Yes

17. Habendum clause (Quote fully) To have & to hold the aforesaid tract of land and all priv. & app. thereto belonging to the said H. A. Smith his heirs and assigns to him and his wife and their issue and their

2. Date of Conveyance 2-20-07
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 7-7-08
15. Book 32 Page 476 for Sevier County.
16. Does deed contain any special limitations, provisions or restrictions

Exact Description of Property

Regr. no. W. O. R. V. Nations & W. S. Hugles owner and owner
a continuous line up a ridge a north west direction 39 ft to
a stake in a. H. Duncans line further up top of ridge, then
N 33 E 22 ft to a s. oak. N 45 E 8 ft to a dogwood
N 58 E 10 ft to a clif; the owner then with a conditioned line
E 4 ft to a b. oak. Then S. E. with conditioned line
20 ft to a X live cedar S 10 E 12 ft to W. B. Eddins
B. W. S. Hugles owner S 42 W 20 ft to a W. O.
W. W. Hugles owner 20 ft or -.

ABSTRACT OF DEED OR GRANT

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

- Kind of Conveyance Deed
- Is it properly executed J. P.
- Before what Officer acknowledged J. P.
- If irregular, copy in full on back 1-15-12
- Date of acknowledgment 1-15-12
- Did officer affix Seal
- Does conveyance contain covenants—
 - of seizin Yes
 - power to convey Yes
 - against encumbrances Yes
 - against claims of all others Yes

- Date of Conveyance 1-15-12
- Date of Entry and No.
- Acknowledgments, regular Yes
- Did all grantors acknowledge Yes
- Was privy examination of wife taken Yes
- Was order of probate correct 1-25-12
- Date of filing for record 1-25-12
- Book 38 Page 75
for Sullivan County.
- Does deed contain any special limitations, provisions or restrictions No

17. Habendum clause (Quote fully)
 "I have and do hold the aforesaid land or land
 and all privileges and appurtenances thereunto appertaining
 & I grant this my & my heirs & assigns to him and his heirs only use
 and benefit."

Exact Description of Property

Beginning on a W. oak R. v. natural & W. S. Heyles corner
 and runs a southward line of a ridge a N. W. direction
 39 ft 0 in. in W. N. direction over first top of ridge &
 N 33 E 22 ft to a S. O. N 45 E 8 ft to a dogwood
 N 50 E 10 ft to left the corner, then with con-
 tinued line E. 4 ft to a B. oak tree South
 ward with continued line 26 ft to a x tree
 over S. 10 E 12 ft to M. B. Zeller & W. S. Heyles
 corner. S 42 W 20 ft to a W. O. tree by L. Courtney
 20 acres + or -.

ABSTRACT OF DEED OR GRANT

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

- Kind of Conveyance Deed
- Is it properly executed yes
- Before what Officer acknowledged J. P.
- If irregular, copy in full on back
- Date of acknowledgment 2-23-07
- Did officer affix Seal
- Does conveyance contain covenants
 - (a) of seizin yes
 - (b) power to convey yes
 - (c) against encumbrances yes
 - (d) against claims of all others yes

- Date of Conveyance 2-19-07
- Date of Entry and No.
- Acknowledgments, regular yes
- Did all grantors acknowledge yes
- Was privy examination of wife taken yes
- Was order of probate correct yes
- Date of filing for record 11-1-09
- Book 3 Page 67 for Swan County.
- Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully) To have & to hold the aforesaid tract of land & all privs & appn there to belong to the said J. M. Smith his heirs & assigns to him & them only before

Exact Description of Property

Beginning on a stake run N.W. 26° to a black oak on top of a ridge then W to a chest W.H. Queen line 48° to the corner then N 12° P. to a hickory, then 20° 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 corner line of M.B. Enloe & R.V. Nations to a stake in this 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 beginning 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		

1. Kind of Conveyance Warranty Deed

2. Date of Conveyance 12-27-22

3. Is it properly executed No

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 12-27-22

8. Did all grantors acknowledge yes

9. Date of acknowledgment 12-28-22

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

(a) of seizin yes

(b) power to convey yes

(c) against encumbrances yes

(d) against claims of all others yes

14. Date of filing for record 7-16-23

15. Book 45, Page 468
for Swan County.

16. Does deed contain any special limitations, provisions or restrictions

17. Habendum clause (Quote fully)
To have + To hold the aforesaid or
 parcel of land + all privy + appurtenances thereto belonging to
 the said J M Smith + his wife Elmina Smith their
 heirs & assigns to the only use + benefit of forever

Exact Description of Property

Beginning on a dogwood S.E. Queen + W.C. Caldwell
 corner run $3\frac{1}{2}$ P to a chest with J.C. Queen + W.C.
 Caldwell line. Then N.W. $2\frac{1}{2}$ P to a black oak on
 top of the ridge. Then W to Chestnut W.H. Queen
 line 4 P to the corner. Then N $12\frac{1}{2}$ P to a hickory
 Then $20\frac{1}{2}$ E $12\frac{1}{2}$ P to a stake. Then N $45\frac{1}{2}$ W $18\frac{1}{2}$ P to a
 white oak. Then N $15\frac{1}{2}$ W $10\frac{1}{2}$ 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
 $2\frac{1}{2}$ P to a stake the corner. Then S $13\frac{1}{2}$ W $2\frac{1}{2}$ P to a
 Walnut in M.B. Enloe yard. Then S $48\frac{1}{2}$ West $15\frac{1}{2}$ P
 to a mulberry. Then $10\frac{1}{2}$ E $19\frac{1}{2}$ 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

P. J. 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 T. C. Caldwell to the BEGINNING corner a dogwood. Containing 15 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.

P. J. 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 & Co. of NC
Smith

Julia E Chambers
44. Chambers

1. Kind of instrument Deed of Trust
2. Date of instrument 12-29-10
3. Consideration \$ 70
4. Maturity date 1-24-12
5. Is it properly executed? Yes

6. Date acknowledged 8-7-11
7. Before what officer acknowledged J. A. C.
8. Was privy examination of wife held? Not
9. Date of filing for record 8-7-11
10. Recorded in Book 44 Page 335

County:

11. Does this instrument form a link in the chain of title?

DESCRIPTION OF PROPERTY

Began on a white oak tree 11' high
corner runs up a ridge N.W. direction 39° to a
W.H. crease line then 33° 22' to a branch
oak 7' 4" 5' 8" P to a dogwood 5' 2" 10' P to a
cheat tree a broad limb 2' 4" P to a 15' 0" 7' 4"
southerwood with cord line 24' P to the
N.E. 12' P to N.W. 16' 5" 7' 4" 15' 0" 7' 4"
then 4' 2" 20' P to a white oak being 10'
about 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 heretofore given and acknowledged
 where by Cognall & released & canceled
 this day of May 1913
 W. A. Chambers
 W. B. Conner
 W. B. Conner
 W. B. Conner

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.