

DESCRIPTION OF THE BOUNDARY  
OF THE  
JOHN SMITH HEIRS TRACT (64)

Lying on the Northwest side of Raven's Fork of Ocona  
Lufty River, about three fourths of a mile above its  
mouth.

Beginning at Corner 1, which is Corner 4 of the Parsons  
Pulp and Lumber Co. Tract (68), a hickory sprout with  
witnesses, on top of a ridge.

Thence, with seven lines of the Parsons  
Pulp and Lumber Co. Tract (68).

S. 15-10 W.

1.02 Corner 2, a point with witnesses.

Set a post.

S. 63-23 W.

8.92 Corner 3, a locust post with witnesses, on ridge top.

A 34" ~~spanish~~ oak, blazed and scribed B.T.-P., bears  
N. 56-00 E. .16 chain distant.

S. 41-24 W.

1.99 Corner 4, a bunch of dead chestnuts, with corner marks.

S. 16-17 W.

3.21 Corner 5, a black gum stump with witnesses.

Set a post scribed P.

A 10" black oak, blazed and scribed B.T.P. bears ~~N.~~ 75-00 E.  
.07 chain distant.

S. 9-13 W.

4.25 Corner 6, a large chestnut, with old marks and witnesses.

S. 5-52 E.

6.63 Corner 7, a 12" black oak at corner of fence.

A 12" spanish oak, blazed and scribed B.T.-P., bears  
N. 45-00 W. .25 chain distant.

S. 13-44 E.

11.24 Corner 8, which is Corner 2 of the W.C. Holloway Tract (66), a point in the Parsons Pulp and Lumber Co. line.

Thence, S. 75-14 W.

3.97 Corner 9, a stake beside a branch.

Thence, up the branch with its meanders, a line of the Dan Parker Tract (65).

N. 14-52 W.

3.09 A Point.

N. 20-40 W.

3.52 A Point.

N. 32-27 W.

2.61 A Point.

N. 24-39 W.

4.87 A Point.

N. 32-17 W.

2.73 Corner 10, which is Corner 8 of the H. N. Connor Tract (63), a point on East bank of stream, and beside wire fence.

Set a post scribed P-S.

Thence, with three lines of the H. N. Connor Tract (63).

N. 45-35 W.

1.64 Corner 11, a point on bank of road near stream.

Set a post scribed S-C.

N. 51-20 E.

3.33 Corner 12, a point at corner of rail fence.

Set a post scribed C-S.

N. 16-05 W.

10.00 Corner 13, a white oak stump on bank of branch, a corner common to the W.C. Caldwell, J. Nations and H. N. Connor Tracts.

Thence, N. 40-12 E.

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

2.90 Corner 14, a point on bank of stream, and at Corner of garden.

Thence, N. 47-~~5~~2 E.

2.21 Corner 15, a point shown by Hilliard Enloe as site of old dogwood corner.

Set a locust post scribed E.

Thence, N. 89-22 E.

16.49 The place of beginning, containing 25.19 acres.

Analysis of Title

Tract No. 64.

1. Tract No. 64 is covered by Grant No. 224 to William Cathcart. This grant is shown on page 169 of Abstract No. 11. It is also covered by Grant No. 501 to Felix Walker. Page 588 of Abstract.

We are unable to connect this title with either of the grants above mentioned.

2. The first instrument in this title is a deed from Jason W. Hughes to Aseph Hughes for 200 acres, being the land where Aseph Hughes then lived. This boundary seems to cover all of Tract No. 64. This deed is duly executed and is registered in Swain County. Page 693 of Abstract.

3. Thereafter Aseph Hughes died leaving to his eight children who were his heirs at law a tract of land containing about 500 acres. Deeds were afterwards executed by the several heirs at law of the said Aseph Hughes to W. S. Hughes, all of which deeds have been fully set out in the Abstract of Title of Tract No. 58. Special reference being hereby made to Paragraphs 2 to 9 inclusive of the Analysis of Title of said tract. Pages 577 to 600 of Abstract.

4. On January 3, 1891, W. S. Hughes, R. L. Hughes, T. I. Hughes and A. H. Hughes and wife, conveyed to A. Nations a tract of land containing 50 acres more or less, which includes the southern end of tract No. 64. This deed is improperly executed in that we do not find of record the acknowledgements of W. S. Hughes and R. L. Hughes. It is our opinion, however, that the original deed contained such acknowledgements but that same was omitted from the record. However, the deed constitutes color of title. The only explanation for the signatures of the grantors other than W. S. Hughes is that at the time of the execution of this deed he had not acquired their undivided interest in the lands of Aseph Hughes. Page 694 of Abstract.

5. Thereafter A. Nations died leaving as his heirs at law, R. V. Nations, Jane Parker, wife of Dan Parker and Minnie Smith, wife of John Smith; and on July 1, 1903, the said R. V. Nations and wife, Jane Parker and husband Dan Parker conveyed to John and Minnie Smith a tract of land containing eighteen acres, which embraces the southern portion of tract No. 64. This deed is duly executed and is registered in Swain County. Page 695 of Abstract.

6. The northern portion of Tract No. 64 not included in the preceding deeds was conveyed by W. S. Hughes and wife to R. V. Nations by deed dated December 22, 1909. This deed described a tract of land containing twenty acres and covers the northern portion of Tract No. 64. W. S. Hughes, acquired title thereto

by the several deeds heretofore set out from his brothers and sisters. Page 696 of Abstract.

7. 7. Thereafter R.V. Nations and wife Laura executed to W. B. Carringer, Trustee a certain Deed of Trust, dated March 3, 1914 to secure debt therein described. This Deed of Trust covers the twenty acre tract aforesaid, that is the northern portion of Tract No. 64. For some reason this Deed of Trust was never registered and we only know of its existence by reason of the recitals contained in the deed following.

8. On December 19, 1914, W. B. Carringer, Trustee, executed to John Smith his deed for the twenty acre tract aforesaid, it being recited therein that default was made in the payment of the debt secured by the Deed of Trust and that the property was sold by the Trustee on December 19, 1914 at public Auction after due advertisement. This deed is properly executed and is registered in Swain County. Page 697 of Abstract.

9. On January 12, 1910, R.V. Nations and wife conveyed to John Smith a parcel of land containing four acres, which seems to cover the central portion of Tract No. 64, that is a portion of the tract aforesaid, conveyed by the Carringer, Trustee to the said John Smith. This deed is properly executed and is registered in Swain County. Page 699 of Abstract.

10. On October 16, 1913, R. V. Nations and wife conveyed to J. M. Smith a tract of land containing five acres by deed duly executed and registered in Swain County. This deed conveys the northern portion of Tract No. 64, that is a portion of the land heretofore conveyed by Carringer, Trustee, to J. M. Smith. Page 700 of Abstract.

## ABSTRACT OF DEED OR GRANT

In Preamble	As Signed	As Acknowledged
Jason W. Hughes	J. W. Hughes	Jason W. Hughes
Asoph Hughes		

1. Kind of Conveyance **Deed**  
 3. Is it properly executed.....  
 5. Before what Officer acknowledged **J. P.**  
 7. If irregular, copy in full on back.....  
 9. Date of acknowledgment **1-5-86**  
 11. Did officer affix Seal.....  
 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**  
 17. Habendum clause (Quote fully). **Not Given.**

2. Date of Conveyance **9-12-62**  
 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 **2-1-26**  
 15. Book **8** Page **178**  
     for **Swain** County.  
 16. Does deed contain any special limitations, provisions  
     or restrictions **No**

## Exact Description of Property

Lying and being in the County of Jackson and State of North Carolina  
 on both sides of the Raven's fork of Ocona Lufty River, to-wit:

BEGINNING on a chestnut oak in the bank of said Raven's fork of Ocona Lufty River near a large rock on the West bank of said river, running North 20° West 40 poles to a stake; then West 9 poles more or less to a stake on top of a ridge; then a North direction with the top of the ridge 185 poles to a stake; thence East 165 poles to a stake; then South 185 poles to a stake; thence 112 poles to a stake; thence South 20° East 40 poles to the beginning.

It being the land where the said Asoph Hughes now lives. Containing 200 acres more or less.

## ABSTRACT OF DEED OR GRANT

W.S. Hughes

W.S. Hughes

In Preamble

As Signed

As Acknowledged

R. L. Hughes  
J. J. Hughes  
A. Hughes

R. L. Hughes  
J. J. Hughes  
A. H. Hughes *aff. H. J.*

J. J. Hughes  
A. H. Hughes *aff. H. J.*

A. Nations

Seal

1. Kind of Conveyance	Deed	2. Date of Conveyance	1-3-91
3. Is it properly executed	Yes	4. Date of Entry and No.	20
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	1-31-91	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	5-28-95
(a) of seizin	Yes	15. Book	16
(b) power to convey	Yes	for	Page 510
(c) against encumbrances	Yes	County.	
(d) against claims of all others	Yes	16. Does deed contain any special limitations, provisions	
		or restrictions	

17. Habendum clause (Quote fully)

To have + to hold the aforesaid tract of land  
with all privs + appn thereto belong to the said A. Nations  
& his heirs to their only use + behav forever

## Exact Description of Property

Beginning on a sassafras on the N.W. bank of the Ravens Fork  
of Oldona Latty river + runs N 14 W 77° to a B. C. Then  
N 242 W 31 1/2 S to a white oak, Then W 58 to a t. Then  
S 168 E to a Spanish Oak on a large rock, on  
the N.W. side of said river. Thence up said river  
as it meanders 878 to beginning

cont 50 acres more or less

ABSTRACT OF DEED OR GRANT

Grantors	In Preamble	As Signed	As Acknowledged
	R. V. Natiens Laura Natiens Jane Parker Julian Parker	R. V. Natiens Laura Jane Parker M. J. "	R. V. Natiens wife Laura Jane Parker wife M. J. "
Grantees	John Smith Minerd Smith		

1. Kind of Conveyance Deed

3. Is it properly executed Yes

5. Before what Officer acknowledged J. P.

7. If irregular, copy in full on back

9. Date of acknowledgment 7-20-03

11. Did officer affix Seal

13. Does conveyance contain covenants—  
 (a) of seizin No  
 (b) power to convey No  
 (c) against encumbrances No  
 (d) against claims of all others No

2. Date of Conveyance 7-1-03

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 7-27-03

15. Book 24 Page 435  
 for Devin County.

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

17. Habendum clause (Quote fully)

### Exact Description of Property

all their intent in the following described land the  
same being the intent which the said parties of the  
first part have at law & the late A. Nations because have  
in that tract or parcel of land herein after described all same  
being all same allotted by the Commissioners Clerks and  
appointed by said him at law to lay off and divide the  
estate of the said A. Nations described by the said parties  
of the second part. Beg. at a post oak W. S. Hugles corner  
bearing S 77 W 14 p to a rock. then out Jane Parkers corner  
thence N 17 W 44 p to a x Parker and R. V. Nations corner near  
a bower at the red barn place. thence N 17 W 2 1/2 a x R. V.  
Nations corner N 21 W 14 p to a v. on bank of brook N 2 1/2 e  
16 p to a brier on bank of the road. N 29 W 24 p to a rock  
R. V. Nations corner N 45 W 14 p to a rock on bank of road  
N 65 W 4 p to a rock on bank of road N 39 E 16 p to a v. on  
old corner. S 40 E 5 1/2 p to black oak W. S. Hugles corner  
817872 p to the beg containing 18 acres

## ABSTRACT OF DEED OR GRANT

Grantors  
Grantees

In Preamble	As Signed	As Acknowledged
W.S. Hougham and many "	✓	✓
R. V. Nations		

1. Kind of Conveyance Deed  
 2. Date of Conveyance 12-22-09  
 3. Is it properly executed J.P.  
 4. Date of Entry and No.  
 5. Acknowledgments, regular Yes  
 6. Did all grantors acknowledge Yes  
 7. If irregular, copy in full on back  
 8. Date of acknowledgment 12-22-09  
 9. Was privy examination of wife taken Yes  
 10. Was order of probate correct 11-3-13  
 11. Date of filing for record  
 12. Book 140 Page 139  
 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. Does deed contain any special limitations, provisions  
 or restrictions

17. Habendum clause (Quote fully)  
to have and to hold the aforesaid land  
or parcels of land and all priv. rights thereunto  
belonging to the said R.V. Nations his wife and his heirs all the days of his life and to the  
use of his wife

## Exact Description of Property

begin at the oak at the ridge line South of W. S.  
 Hougham's corner near where John Smith now  
 lives NW 32 of sec. 10. T 48 R 18 L 4 block  
 Secur T 48 R 13 S 40 C 10. T 38 R 8 S 40  
 a + N 57 E 36 ft to a X on top of ridge -  
 N 8 W 4 ft to a timber W. S. Hougham  
 and M. B. Taylor's corner. west 63 ft to a  
 timber N. B. Taylor's corner S 42 W  
 20 ft to a c. o. H. H. Smith & R. B.  
 Nations corner S 24 E 22 ft to a X  
 S 20 W 12 ft to a c. o. S 40 E 52 ft G  
 9 ft east to the 20 ft to a -

## ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	W.B. Carriger Trustee	✓	✓
Grantees	John Smith		

1. Kind of Conveyance Dee  
 3. Is it properly executed C.R.C.  
 5. Before what Officer acknowledged C.R.C.  
 7. If irregular, copy in full on back 12-19-14  
 9. Date of acknowledgment 12-19-14  
 11. Did officer affix Seal ✓  
 13. Does conveyance contain covenants:  
   (a) of seisin NO  
   (b) power to convey NO  
   (c) against encumbrances NO  
   (d) against claims of all others NO  
 17. Habendum clause (Quote fully) 25 years and to hold the same in trust  
for my heirs & afflu. & aff. their heirs & afflu. & so forth  
and W.B. Carriger & trustee as aforesaid to maintain  
to convey the same.

2. Date of Conveyance 12-19-14  
 4. Date of Entry and No. 416  
 6. Acknowledgments, regular ✓  
 8. Did all grantors acknowledge ✓  
 10. Was privy examination of wife taken ✓  
 12. Was order of probate correct ✓  
 14. Date of filing for record 12-23-14  
 15. Book 41 Page 114  
     for Dee County.  
 16. Does deed contain any special limitations, provisions  
     or restrictions NO

## Exact Description of Property

that whereas on the 3<sup>rd</sup> day of March 1914 R.V. Nations & wife Laura Nations executed & delivered to the said W.B. Carriger Trustee a certain out of Court which is recorded in the office of the Register of Deeds in Sevier County, N.C. and whereas there was a default in the payment of the indebtedness thereby accrued as there provided and under and by virtue of the said deed of trust and in accordance of the terms & stipulations of the same and after due advertising as in said deed of trust prescribed and by law provided the said W.B. Carriger Trustee did on the 19<sup>th</sup> day of Dec. 1914 at time stated in said advertisement at the said house in Bryson City N.C. to have the public sale the land herein after described, where and when John Smith became the last and highest bidder.

for all sums at the price of 100 and whereas the said  
purchase price has been fully paid as in said act of Court  
provided. Now therefore this indenture - Teste.

Beg. in a b. oak on a ridge near John Smiths and W. S. Neugars  
corner and runs N 6 W 22 ft to a loc. N 4 W 18 ft to a b. pine N 15 E  
18 ft to a loc. N 38 E 8 ft to a X on top of ridge. N 8 W 4 ft to a Hickory  
Hugars & Eagers corner West 63 ft to a sourwood S 42 E 20 ft to  
a White oak S 24 E 22 ft do a X S 20 W 12 ft to a. S. S 40 E  
52 ft to a loc. containing 20 acres to n -

## ABSTRACT OF DEED OR GRANT

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

1. Kind of Conveyance	2. Date of Conveyance	1-13-10
3. Is it properly executed	4. Date of Entry and No.	112
5. Before what Officer acknowledged	6. Acknowledgments, regular	yes
7. If irregular, copy in full on back	8. Did all grantors acknowledge	yes
9. Date of acknowledgment	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	10-13-11
(a) of seizin	15. Book	38
(b) power to convey	for	Atwater
(c) against encumbrances	County	
(d) against claims of all others	16. Does deed contain any special limitations, provisions	
	or restrictions	
17. Habendum clause (Quote fully)	To have & to hold the property there to belong to the said John Smith his heirs & assigns to him only his	
	+ heirs of former	

## Exact Description of Property

Beginning on a black Oak on a ridge W. of Hughes & John Smith corner & run N. W. 32° to a chestnut then N. 42° 11' E. to a four wood the corner then with pond. line a S. W. direction 28° to a st the corner, then S. 40° E. 42 1/2' E. to a black Oak the beginning. Cont 4 acres more or less

## ABSTRACT OF DEED OR GRANT

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

1. Kind of Conveyance Deed  
 3. Is it properly executed Yes  
 5. Before what Officer acknowledged J. D. C.  
 7. If irregular, copy in full on back  
 9. Date of acknowledgment 10-20-13  
 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 and to hold his several tract or  
 property and all property to and all  
 his heirs and to his assigns forever.

## Exact Description of Property

lies on a X M. B. L. L. at the branch on  
 the bank of the road below his house runs a  
 S. E. division up the top of a ridge 42 ft to  
 a X top of the mountain in the line of  
 R. V. Natwin & W. S. Hughes N 57 E 36 ft to  
 a X on top of the ridge, N 88 4 ft to a buckey.  
 Went 63 ft to a X on the wood line of M. B. L. L.  
 the beginning corner containing 5 acres + or -

## ABSTRACT OF DEED OR GRANT

Grantors	In Preamble	As Signed	As Acknowledged
	R. V. Nations and Laura Nations	R. V. Nations Laura Nations	R. V. Nations Laura Nations
Grantees	J. M. Smith		

1. Kind of Conveyance **Deed**  
 3. Is it properly executed  
 5. Before what Officer acknowledged **C.S.C.**  
 7. If irregular, copy in full on back  
 9. Date of acknowledgment **10-20-13**  
 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 and to hold the aforesaid tract or parcel of land and all privileges and appurtenances thereto belonging to the said J. M. Smith his heirs and assigns to their only use and behoof forever.**

2. Date of Conveyance **10-16-13**  
 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 **11-3-13**  
 15. Book **40** Page **141**  
     for **Swain** County.  
 16. Does deed contain any special limitations, provisions or restrictions

## Exact Description of Property

BEGINNING; on a stake, M.B. Enloe's Southwest corner at the branch on the bank of the road below his house, runs a southeast direction up the top of a ridge 42 poles to a stake top of the mountain in the line of R. V. Nations and W.S. Hughes North 57 East 36 poles to a stake on top of the ridge; North 8 East 4 poles to a hickory; West 63 poles to a stake or sourwood, corner of M.B. Enloe, the beginning corner.

Containing 5 acres more or less.

J. J. Hughes

being duly sworn, deposes and says:

That he is \_\_\_\_\_ years of age, and has been a resident of Swain County for 40 years;

Affiant further states that he is familiar with the ownership and possession of a tract or parcel of land located in Swain County, North Carolina, now belonging to the heirs of John M. Smith, more particularly described as follows:

FIRST TRACT - Beginning at a post oak, W. S. Hughes line, runs South 77 West 14 poles to a rock, Dean and Jane Parker's corner; thence North 17 West 44 poles to a stake, Parkers and A. V. Nations corner near a branch at the old barn place; thence North 17 West 2 to a stake, A. V. Nations corner; North 21 West 14 poles to a stake on bank of branch; North 24 West 16 poles to a beech on bank of the road; North 29 West 24 poles to a rock, A. V. Nations corner; North 45 West 14 poles to a rock on bank of road; North 55 West 4 poles to a rock on bank of road; North 39 East 16 poles to a white oak, an old corner; South 40 East 52 poles to a black oak, W. S. Hughes corner; South 17 East 72 poles to the beginning, containing 16 acres.

SECOND TRACT - Beginning on a black oak on a ridge near John Smith's and W. S. Hughes' corner, and run North 6 West 22 poles to a chestnut; North 4 West 18 poles to a black gum; North 15 East 18 poles to a chestnut; North 38 East 8 poles to a stake on top of ridge; North 8 West 4 poles to a hickory, Hughes and Enloe's corner; West 63 poles to a sourwood; South 42 West 20 poles to a white oak; South 24 East 22 poles to a stake; South 20 West 12 poles to a white oak; South 40 East 52 poles to the beginning, containing 20 acres more or less.

That the heirs of the said John M. Smith and those under whom they claim, to wit:

John M. Smith  
A. V. Nations  
W. S. Hughes  
Jane Parker and husband, Dan Parker, and  
A. Nations

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

J. J. Hughes

Affiant

NORTH CAROLINA

SWAIN COUNTY

J. F. Hayd being  
duly sworn, deposes and says:

That he was well acquainted with John H. Smith during his lifetime, and that the said John H. Smith is now dead, having died intestate, and he left him surviving the following named persons as his heirs at law:

Elmina Smith (widow)

Leaura Smith Dean (husband, Carl Dean)

Weldon Smith (wife, Kate Smith)

J. F. Hayd  
Affiant

(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, 1928, at \$ 1150.00, in the name  
Heirs at law of John M. Smith 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>24</u>	<u>Paid</u>
19. <u>20</u>	<u>Paid</u>	19. <u>25</u>	<u>Paid</u>
19. <u>21</u>	<u>Paid</u>	19. <u>26</u>	<u>Paid</u>
19. <u>22</u>	<u>Paid</u>	19. <u>27</u>	<u>Paid</u>
19. <u>23</u>	<u>Paid</u>	19. <u>28</u>	Unpaid amount \$19.45

## ATTORNEY'S CERTIFICATE AND OPINION

### Tract No. 64.

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.....:

8

Elmina Smith, widow  
Laura Smith Dean

Heirs at law of John M. Smith, to-wit: (husband Carl Dean)  
Nelson Smith

seized in fee simple of a good and valid title to the same, subject only to any lien, charge or encumbrance  
etc. shown in this abstract and listed hereon.

### ENCUMBRANCES

1. Tract No. 64 is covered by Grant No. 224 to William Cathcart, but since we are unable to connect the title of John Smith with such grant or with any other grant, we are, therefore, dependent upon possession under color for title; we have, therefore, attached an affidavit showing possession by the said John M. Smith and those under whom he claims for a period of thirty years and under color of the several deeds shown in this Abstract. With this showing of possession, we are of opinion that the title is good in the Heirs at law of the said John M. Smith. It is, true that the Deed of trust from R. V. Nations to T. B. Carringer has not been found of record, but the deed of the Trustee, which was made pursuant to said Deed of trust recites its existence as well as the terms thereunder. The omission of this deed from the record is cured by the subsequent deeds of R. V. Nations and wife to the said J. M. Smith.

2. The taxes for the year 1928 amounting to \$19.43 are outstanding and unpaid.

This 5th day of December, 1928.

Book 151  
Page 602  
File 597

STATE OF NORTH CAROLINA

No. 440. Know ye that we have granted unto Ralph Hughes one hundred acres of land in Haywood County, on the Ravens fork of Oconeelyluftty River. Beginning at a hickory on the North boundary line of his own tract, and runs West with his old line fifty six poles to a white oak near a branch then South forty eight poles to a large white oak on the point of a ridge, then West twenty two poles to a poplar in John Menguses line, then North with his line sixty poles to a stake, then North ten degrees East one hundred and sixty five poles to a stake, then East eighty six poles to a stake, then South ten degrees West one hundred and eighty poles to the place of beginning. Entered the 4th. day of January 1845. To hold to the said Ralph Hughes his heirs and assigns forever dated the 13th. day of January 1847.

Wm. Hill Secretary

Will. A. Graham.

NORTH CAROLINA PARK COMMISSION  
ASHEVILLE, N. C.

November 25, 1929.

REPORT ON THE JOHN SMITH HEIRS TRACT - NO. 64, 25.19 ACRES.

LOCATION: This tract is located at Ravensford, and adjoins the lands of other small property owners in that section.

DESCRIPTION: A small farm home, with very little flat land, although all of the land under cultivation is not steep. The woodland has been cut over.

IMPROVEMENTS: The improvements on this property are: A 6-room framed house, in only fair condition; a 5-stall barn, a small 3-room house, in poor condition, and some outbuildings, in poor condition.

VALUATION:

6-room framed house	\$ 600.00
1 acre bottom land	150.00
5-stall barn	150.00
Outbuildings	50.00
24 acres woodland and pasture	<u>250.00</u>
Total	\$1,200.00

An option has been taken on this property for \$1,200.00.

## NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

We beg to report that we visited the premises of Weldon Smith on October 9, 1929 and find as follows:

1 acre bottom land	\$150.00
10 acres pasture land	20.00
14 acres woodland	140.00
1 6-room house	600.00
14 apple trees	70.00
1 smoke house and hen house	10.00
1 barn	150.00
4 box woods	40.00
3-room shack	10.00
Total	<u>\$1190.00</u>

1150 -

(His price \$3,000.00)

A. S. Patterson  
W. C. Martin

STATE OF NORTH CAROLINA

Swain

COUNTY.

WITNESSETH:

That the said grantors for certain good and valuable considerations moving them thereto, and particularly the sum of -----TWELVE HUNDRED----- (\$1200.00) 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 Township Swain County, State of North Carolina, particularly described as follows, viz.:

TRACT NO. 64:

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 Northwest side of Raven's Fork of Ocona Lufty River, about three-fourths of a mile above its mouth.

BEGINNING at Corner 1, which is corner 4 of the Parsons Pulp & Lumber Co. Tract (68), a hickory sprout with witnesses, on top of a ridge; thence with seven lines of the Parsons Pulp & Lumber Co. Tract (68) South 15-10 West 1.02 chains, corner 2, a point with witnesses, set a post South 63-23 West 8.92 chains, corner 3, a locust post with witnesses, on ridge top, a 34" spanish oak, blazed and scribed B.T.-P bears North 56-00 East .16 chain distant; South 41-24 West 1.99 chains, corner 4, a bunch of dead chestnuts with corner marks South 16-17 West 3.21 chains, corner 5, a black gum stump with witnesses, set a post scribed P, a 10" black oak blazed and scribed B.T.P. bears North 75-00 East .07 chain distant; South 9-13 West 4.25 chains, corner 6, a large chestnut, with old marks and witnesses; South 5-52 East 6.63 chains, corner 7, a 12" black oak at corner of fence, a 12" spanish oak, blazed and scribed B.T.-P bears North 45-00 West .25 chain distant; South 15-44 East 11.24 chains, corner 8, which is corner 2 of the W. C. Holloway Tract (66), a point in the Parsons Pulp & Lumber Co. line; thence South 75-14 West 3.97 chains, corner 9, a stake beside a branch; thence up the branch with its meanders, a line of the Dan Parker tract (65) North 14-52 West 3.09 chains; North 20-40 West 3.52 chains; North 32-27 West 2.61 chains; North 24-39 West 4.87 chains; North 32-17 West 2.73 chains, corner 10, which is corner 8 of the H. N. Connor tract (63), a point on east bank of stream, and beside wire fence, set a post scribed P-S; thence with three lines of the H. N. Connor tract (63) North 45-35 West 1.64 chains, corner 11 a point on bank of road near stream, set a post scribed S-C; North 51-20 East 3.33 chains, corner 12, a point at corner of rail fence set a post scribed C-S; North 16-05 West 10.00 chains, corner 13, a white oak stump on bank of branch, a corner common to the W. C. Caldwell, J. Nations and H. N. Connor tracts; thence North 40-12 East with a line of the W. C. Caldwell Tract (61) 2.90 chains, corner 14, a point on bank of stream, and at corner of garden; thence North 47-42 East 2.21 chains, corner 15, a point shown by Hilliard Enloe as site of old dogwood corner, set a locust post scribed E; thence North 89-22 East 16.49 chains, the place of BEGINNING, containing 25.19 acres.

Also all other pieces, parcels or lots of land or interest in lands located within the area designated by the Secretary of the Interior as the "Great Smoky Mountains National Park".

SIGNED, SEALED AND DELIVERED  
in the presence of

Julius P. Brudner —  
Mary Davis

STATE OF ~~North Carolina~~ Pennsylvania

I, Julius P. Brudner, a Notary Public  
do hereby certify that Carl Dean  
and Laura Dean

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Laura Dean, 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 5th day of January, A.D. 1930.

My commission expires March 5, 1933.

Julius P. Brudner  
Notary Public.

My commission expires Mar. 10, 1931

Notary Public

# Warranty Deed

W. W. Smith et al  
(John Smith heirs)  
to

THE STATE OF NORTH CAROLINA

Consideration - - - \$1200.00

Dated 4 day of Jan, 1920

Filed for registration on the 28  
day of Jan, 1920, at 9:00  
o'clock A.M., and registered in the office  
of the Register of Deeds for

Swain

County, North Carolina, on the 28  
day of Jan, 1920, in Book  
No 58 of Deeds, at page 483

Ellis Burnette  
Register of Deeds.

## FEES.

CSC fee 50cts

Clerk Superior Court

I, Elmira Smith, widow  
in and for said County and State, do hereby certify that Elmira Smith, widow  
personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Let  
the instrument and the certificate be registered.

Witness my hand and official seal, this 4 day of Jan, A.D. 1920.

Elmira Smith

My commission expires: Mar. 10, 1931

Notary Public

STATE OF NORTH CAROLINA Swain, a County.

The foregoing certificate is of Julian P. Bremmer a Notary Public of Swain County, N.C.  
A Warranty Deed of Catawba County, N.C.  
is hereby acknowledged to be correct. Let the instrument and the certificate  
be registered.

This 28 day of Jan, A.D. 1920.

Bryson City, N. C.

January 25, 1930.

IN RE TRACT NO. 64

NORTH CAROLINA PARK COMMISSION,

Asheville, N. C.

Gentlemen:

I am enclosing herewith check No. 156C to W. W. Smith, Administrator of John Smith Estate for \$1200.00. Please send us one check for \$1175.51 made payable to W. W. Smith, Administrator of John Smith Estate, and one check for \$24.49, payable to S. R. Patterson, Tax Collector.

This deed will be delivered to us by the bank here and Mr. Long, the Cashier, asked me to handle it in this way.

Yours very truly,

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

January 24, 1930.

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

Dear Mr. Wiggins:

As per your request, we are enclosing herewith Check No. 170C, payable to W. W. Smith, Administrator of John Smith Estate, for \$1,175.51, and Check No. 171C, payable to S. R. Patterson, Tax Collector, for \$24.49, and are cancelling Check No. 156C, payable to W. W. Smith, Administrator, in the amount of \$1,200.00.

Yours very truly,

NORTH CAROLINA PARK COMMISSION

By

HKS  
Encls.

# NORTH CAROLINA PARK COMMISSION

CREATED BY THE STATE OF NORTH CAROLINA  
TO ESTABLISH A NATIONAL PARK IN  
THE GREAT SMOKY MOUNTAINS

EUGENE C. BROOKS, RALEIGH  
D. M. BUCK, BALD MOUNTAIN  
JOHN G. DAWSON, KINSTON  
PLATO D. ERBIS, ASHEVILLE  
R. T. FOUNTAIN, ROCKY MOUNT

MARK SQUIRES, CHAIRMAN, LENOIR  
EUGENE C. BROOKS, SECRETARY, RALEIGH  
VERNE RHOADES, EXECUTIVE SECRETARY, ASHEVILLE

J. A. HARDISON, WADESBORO  
STUART W. CRAMER, JR., CARMERTON  
J. ELMER LONG, DURHAM  
HARRY L. NETTLES, BILTMORE  
E. S. PARKER, JR., GREENSBORO  
MARK SQUIRES, LENOIR

Bryson City, N. C.

January 23, 1930.

## IN RE TRACT NO. 64

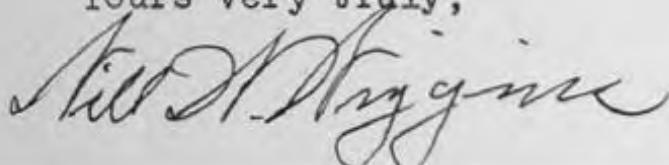
NORTH CAROLINA PARK COMMISSION,  
Asheville, N. C.

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This deed will be delivered to us by the bank here and Mr. Long, the Cashier, asked me to handle it in this way.

Yours very truly,



# NORTH CAROLINA PARK COMMISSION

## ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 64.

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.....:

Heirs at law of John M. Smith, to-wit:

Elmira Smith, widow  
Laura Smith Dean,  
(husband Carl Dean)  
Weldon Smith.

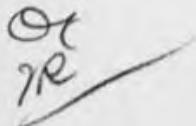
.....seized in fee simple of a good and valid title to the same, subject only to any lien, charge or encumbrance shown in this abstract and listed hereon.

### ENCUMBRANCES

1. Tract No. 64 is covered by Grant No. 224 to William Cathcart but since we are unable to connect the title of John Smith with such Grant or with any other Grant, we are, therefore, dependent upon possession under color for title; we have therefore, attached an affidavit showing possession of the said John M. Smith and those under who he claims for a period of thirty years and under color of the several deeds shown in this abstract. With showing of possession, we are of the opinion that the title is good in the heirs at law of the said John M. Smith, it is, true that the deed of trust from R. V. Nations to W. B. Carrianger has not been found of record, but the deed of the Trustee, which was made pursuant to said deed of trust recites its existence as well as the terms thereunder. The omission of this deed from the record is cured by the subsequent deeds of R. V. Nations and wife to the said J. M. Smith.

2. Subject to taxes.

(COPY)



This.....day of....., 19.....

Address.....

Attorney.

R.V. NATIONS LAND.

DEED.

JOHN SMITH & WIFE.

Date

Jan. 13, 1910.

TO

Book 40. p. 140

R.V. NATIONS

Swain County.

4 Acres.

DESCRIPTION.

NEAR RAVENSFORD.

BEGINNING on a Stake, on the bank of the road, at the top of the hill above John Smith's house; runs

N.50 W.	4 poles	to a Rock
N.20 W.	9 "	to a Stake
N.10 E.	4 "	to a Stake
N.20 E.	28 "	to a White Oak
S.24 E.	22 "	to a Stake
S.20 W.	12 "	to a White Oak
S.40 E.	11 $\frac{1}{2}$ "	to a Stake, the corner; then with a condition line,
S.W.	15 "	to a Stake, the BEGINNING.

JONN SMITH LAND.

DEED.

DANIEL PARKER & WIFE  
TO  
JOHN SMITH.

Date April 4, 1908.  
Reg. Book 34. p. 69  
Swain County.

3½ Acres.

DESCRIPTION.

NEAR RAVENSFORD.

BEGINNING on a rock, on the bank of the road, and runs

N.50 W.	4 polest	to a Rock, on bank of road
N.20 W.	9 "	to a Stake
N.10 E.	4 "	to a Stake
N.20 E.	28 "	to a White Oak, a corner
S.24 E.	22 "	to a Stake, above a field
S.20 W.	12 "	to a White Oak, in Hughes' line
	29	
S.20 W.	16 "	to the BEGINNING.

JOHN SMITH LAND.

DEED.

R.V.NATION & WIFE

D<sup>ate</sup>

Oct. 18, 1913.

TO

Reg.

Book 40. p. 141.

JOHN SMITH

Swain County.

5 Acres.

DESCRIPTION.

NEAR RAVENSFORD.

BEGINING on a Stake, M.B. Enloe's S.W. corner, bank of a stream at the branch, on the bank of the road, below his house, and runs

S.E. 42 poles

up the top of the ridge to a Stake, on top of mountain, in the line of Nations and Hughes; then

N.57 E. 36 "

to a Stake, on top of ridge

N.08 E. 4 "

to a Hickory

West 63 #

to a Stake or Sourwood corner, of M.B. Enloe, the BEGINING.

JON SMITH LAND.

DEED.

W.B.CARRINGER TRUSTEE

Date

March 3, 1914.

TO

Reg.

Book 41.p.114

JOHN SMITH

Swain County.

20 Acres.

DESCRIPTION.

NEAR RAVENSFORD.

BEGINING on a Black Oak, on a ridge, near John Smith's and W.S.Hughes' corner, runs

N.06 W. 22 poles to a

Chestnut

N.04 W. 18 "

to a Black Gum

N.15 E. 18 "

to a Chestnut

N.38 E. 8 "

to a Stake, on top of a ridge

N.08 W. 4 "

to a Hickory, Hughes' and Enloe's corner

Wesy 63 "

to a Sourwood

S.42 W. 20 "

to a White Oak

S.24 E. 22 "

to a Stake

S.20 W. 13 "

to a White Oak

S.40 E. 52 "

to the BEGINING.

JOHN SMITH LAND.

DEED.

R.V.NATIONS & WIFE

Date

Jan.19,1907.

TO

Reg.

Book 34.p.67

JOHN SMITH

Swain County.

10 Acres.

DESCRIPTION.

NEAR RAVENSFORD.

BEGINING on a Stake and runs

N.W. 26 poles

to a Black Oak, on top of ridge

West 4 "

with W.H.Queen's line, to a Chestnut, a corner

North 12 "

to a Hickory

-20 E 12 "

to a Stake

N.45 W. 18 "

to a White Oak

N.15 W. 10 "

to a Stake, on ridge. M.B.Enloe's corner; then with a conditional line of M.B.Enloe and R.V.Nations to a Stake, in their line; then a,

S.E. 29 "

to a Stake, the corner; then

S.13 W. 26 "

to a Walnþut, in M.B.Enloe's yard; then

S.48 W. 15 "

to a Mulberry

S.16 E. 9 "

to the BEGINING.

JOHN SMITH LAND.

DEED.

R.V.NATIONS & WIFE

Date

Jan.13,1910.

TO

Reg.

Book 38.p.18.

JOHN SMITH

Swain County.

4 Acres.

DESCRIPTION.

BEGINING on a Black Oak, on a ridge, W.S.Hughes and John Smâths' corner and runs

N.06 W. 33 poles to a Chestnut

N.04 E. 11 " to a Sourwood, the corner; then a conditional line

S.W. 28 " to a Stake

S.40 E. 42 $\frac{1}{2}$  " to the BEGINING.

JOHN SMITH LAND.

DEED.

R.V.NATION ET.AL.

TO

JOHN SMITH

18 Acres.

Date

July 1st, 1903.

Reg

Book 24.p.435.

Swain County.

DESCRIPTION.

NEAR RAVENSFORD.

S.77 W. 14 poles

BEGINING at a Post Oak, W.S. Hughes' line, runs

N.17 W. 44 "

to a Rock, Dean and Janes Parker's corner  
to a Stake, Parker's and Nations' corner,  
near a branch, near the old barn place

N.17 W. 2 "

to a Stake, Natuons' corner

N.21 W. 14 poles to

a Stake, on the bank of a branch

N.24 W. 16 "

to a Beach, on bank of road

N.29 W. 24 "

to a Rock, R.V. Nations' corner

N.45 W. 14 "

to a Rock, on bank of road

N.65 W. 4 "

to a Rock, on bank of road

N.39 E. 16 "

to a White Oak, an old corner

S.40 E. 53 "

to a Black Oak, Hughes' corner

S.17 E. 72 "

to the BEGINING.