

DESCRIPTION OF THE BOUNDARY

OF THE

DAN PARKER TRACT (65)

Lying on the Northwest side of the Ravens' Fork of Oona Lufty River, about one half mile above its mouth.

Beginning at Corner 1, which is Corner 11 of the H. N. Connor Tract (63), a point with chestnut witnesses, on ridge top. ✓

Set a post scribed P.C.F.

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

N. 87-29 E. ✓

3.15 Corner 2, a point on top of a spur ridge. ✓

Set a post scribed P-C.

N. 20-30 E. ✓

4.77 Corner 3, a point at corner of wire fence, ✓

Set a post scribed P.C.

N. ~~81~~-25 E. ✓

3.98 Corner 4, a point on East Bank of stream, and beside a wire fence. ✓

Set a post scribed P.S. ✓

Thence, down the stream with its meanders, a line of the John Smith Heirs Tract (64).

S. 32-17 E. ✓

2.73 A Point.

S. 24-39 E. ✓

4.87 A Point.

S. 32-27 E. ✓

2.61 A Point.

S. 20-40 E. ✓

3.52 A Point.

S. 14-52 E. ✓

3.09 Corner 5, a stake beside a branch. ✓

Thence, S. 16-20 E. ✓

With a line of the W.C. Holloway Tract (66).

8.89 Corner 6, a point in Raven's Fork of Ocona Lufty River. ✓

Thence, S. 75-14 W. ✓

With the river.

5.06 Corner 7, a point in river, the S.E. Corner of the
W. C. Holloway Tract (66a). ✓

Thence, with three lines of the W.C.
Holloway Tract (66a).

N. 23-45 W. ✓

3.41 Corner 8, a stake. ✓

S. 70-28 W. ✓

1.28 Corner 9, a stake. ✓

S 19-58 E. ✓

3.27 Corner 10, a point in the river. ✓

Thence, S. 75-14 W. ✓

2.15 Corner 11, a point in river, the S.E. Corner of the Frank
Marcus Tract (67). ✓

Thence, with three lines of the Frank
Marcus Tract (67). **N26-20W.** ✓

3.83 Corner 12, a stake. ✓

S. 59-40 W. ✓

1.21 Corner 13, a stake. ✓

S. 26-20 E. ✓

3.48 Corner 14, a point in the river. ✓

Thence, down the river, with its meanders.

S. 75-14 W. ✓

3,35 A Point.

S. 21-25 W. ✓

14.41[✓] Corner 15, a point on West bank of river, opposite beech corner, shown as his corner by Dan Parker.

Thence. N. 1-00 E. ✓

14.24[✓] Corner 16, a point on East side of ridge.

Set a post scribed H-F-P.

Thence, up the ridge top, with its meanders.

N. 5-19 W. ✓

2.62 A Point.

N. 5-32 W. ✓

5.18 A Point.

N. 16-49 W. ✓

5.89 A Point.

N. 3-06 E. ✓

4.05 A Point.

N. 25-19 E. ✓

4.11 The place of beginning, containg 39.95 acres.

Analysis of Title

Tract No. 65.

1. Tract No. 65 is covered by Grant No. 224 to William Cathcart. The title thereto passed 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 44½ acres, which embraces the north western corner of Tract No. 65 as well as other lands. This deed is duly executed and is registered in Swain County. Page 633 of Abstract.

3. Tract No. 65 is also covered by Grant No. 501 to Felix Walker, elsewhere shown in this Abstract. Page 588 of Abstract.

4. We are unable to connect the title of Dan Parker with this grant.

5. The whole of tract No. 65 except the extreme south end is covered by a deed from Jason W. Hughes to Aseph Hughes conveying 200 acres. This deed is duly executed and is registered in Swain County. Page 693 of Abstract.

6. Thereafter Aseph Hughes dies leaving to his eight children who were his heirs at law a tract of land containing about 500 acres, which included the whole of Tract No. 65. Deeds were 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 made to Paragraphs 2 to 9 inclusive of the Analysis of Title of said Tract No. 58. Pages 599 to 600.

7. 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 eastern half of Tract No. 65. This deed is not properly executed there being no acknowledgements of W.S. and R. L. Hughes shown on the record. It is our opinion, however, that the original deed contained such acknowledgements but that same were 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 the undivided interests in the lands of Aseph Hughes. Page 694.

It appears, therefore, from the foregoing deeds that the southeastern corner of Tract No. 65 is not embraced in any deeds

of record to A. Nations, although his heirs at law afterwards attempted to convey the same.

8. 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 and John Smith and wife Minnie conveyed to Jane and Dan Parker a tract of land containing 36 acres, which covers all of Tract No; 65 except the northeast corner thereof and a small triangular shaped piece in the southwest corner thereof. This deed is duly executed and is registered in Swain County. P. 710.

9. On July 1, 1903 Dan Parker and wife Jane Parker, Minnie Smith and husband John Smith conveyed to R.V. Nations and wife Laura, two tracts of land aggregating 34 acres. The first tract contains nine acres and includes the northeast corner of Tract No. 65. This deed is properly executed and is registered in Swain County. Page 634 of Abstract.

10. On May 12, 1906, R. V. Nations and wife Laura conveyed to Daniel and Jane Parker a tract of land containing 6 acres which includes the extreme north and northeast corner of Tract No. 65. This deed is properly executed and is registered in Swain County. Page 711 of Abstract.

11. The next conveyance is a deed from John Smith and wife, Elmina, sometimes called Minnie, to Dan Parker and wife Jane Parker, dated March 28, 1908, describing two acres, which lot or parcel of land lies immediately southeast of the tract described in the next preceding deed. This deed is properly executed and is registered in Swain County. We are not able to find a deed to John Smith and wife Elmina Smith for this parcel of land, The title having been conveyed to R. V. Nations by Jane and Dan Parker and by Minnie and John Smith. There should be a conveyance from R. V. Nations to John Smith for his parcel. Page 712 of Abstract.

12. It appears, therefore, that Daniel Parker does not have title to the triangular shaped parcel located in the extreme southwest corner of tract No. 65. It also appears that R. V. Nations and wife are the true owners of the two acre parcel which was conveyed by John Smith and wife to Daniel Parker by deed dated March 28, 1908 and recorded in Book 26, page 440. As far as the records disclose the title to the triangular shaped portion located in the extreme southwest corner of Tract No. 65 is in the heirs at law of W.S. Hughes.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N.C.

We beg to report that we visited the premises of
Dan Park October 9, 1929 and find as follows:

8 acres bottom land	1600.00
15 acres pasture, fenced with wire	225.00
17 acres woodland	170.00
1 3-room house	90.00
1 4-room house, porch and side room	550.00
1 Wood house	10.00
1 Barn, six stall	50.00
1 woodshed	10.00
1 smoke house and pig pen fenced	20.00
1 5-room house 32 x 16 will L off running water, two good chimneys spring house by the kitchen	900.00
1 garden fenced with woven wire and locust posts	50.00
1 Half garage	20.00
1 3-room house	150.00
1 3-room shack	20.00
1 wood shed	17.00

(His price \$4600.00)

✓ \$3882.00

3500 ✓

*Adjusted
to
3400*

A. S. Patterson
W. Martin

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

February 8, 1930

REPORT ON THE DAN PARKER TRACT - NO. 65, 39.95 ACRES.

LOCATION: This tract is located at Ravensford on the Ocona Lufty River, and adjoins the lands of other property owners of this section.

DESCRIPTINN: A small farm occupied by the owner, containing 7 acres of fine river bottom; 10 acres of grass pasture; 6 acres of cove land ; balance wood land. The land is smooth and the wood land has been cut over although left in good condition.

IMPROVEMENTS: The improvements are all in good condition, with the exception of the barn. There is a 5-room frame house; a 4-room box house; and two 3-room box houses; also a 6-stall barn and some outbuildings.

VALUATION:

7 acres river bottom	\$1400.00
10 acres pasture and grass	300.00
6 acres cove field	150.00
5-room frame house	800.00
4-room box house	400.00
Two 3-room box houses	300.00
6-stall barn and outbuildings	250.00
17 acres wood land	300.00
	<u>\$3900.00</u>

An option has been taken on this property for \$3900.00

STATE OF NORTH CAROLINA

SWAIN

COUNTY. }

THIS DEED, Made this *28th* day of March

1930
A.D. ~~1922~~, by and between

Dan Parker and Jane Parker, his wife
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 Three Thousand Nine Hundred & 00/100----- (\$3,900.00) 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. 65:

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 the Raven's Fork of Ocona Lufty River, about one-half mile above its mouth.

BEGINNING at corner 1, which is corner 11 of the H. N. Connor Tract (63), a point with chestnut witnesses, on ridge top. Set a post scribed P.C.F.; thence with three lines of the H. N. Connor Tract (63) North 87-29 East 3.15 chains, corner 2, a point on top of a spur ridge, set a post scribed P-C North 20-30 East 4.77 chains, corner 3, a point at corner of wire fence, set a post scribed P.C.; North 81-25 East 3.98 chains, corner 4, a point on east bank of stream, and beside a wire fence, set a post scribed P.S.; thence, down the stream with its meanders, a line of the John Smith Heirs Tract (64) South 32-17 East 2.73 chains; South 24-39 East 4.87 chains; South 32-27 East 2.61 chains; South 20-40 East 3.52 chains; South 14-52 East 3.09 chains, corner 5, a stake beside a branch; thence South 16-20 East with a line of the W. C. Holloway Tract (66) 8.89 chains, corner 6, a point in Raven's Fork of Ocona Lufty River; thence South 75-14 West with the river 5.06 chains, corner 7, a point in river, the S. E. corner of the W. C. Holloway Tract (66-a); thence with three lines of the W. C. Holloway Tract (66-a) North 23-45 West 3.41 chains, corner 8, a stake; South 70-28 West 1.28 chains, corner 9, a stake; South 19-58 East 3.27 chains, corner 10, a point in the river; thence South 75-14 West 2.15 chains, corner 11, a point in river, the S. E. corner of the Frank Marcus Tract (67); thence with three lines of the Frank Marcus Tract (67) North 26-20 West 3.83 chains, corner 12, a stake; South 59-40 West 1.21 chains, corner 13, a stake; South 26-20 East 3.48 chains, corner 14, a point in the river; thence down the river, with its meanders South 75-14 West 3.35 chains; South 21-25 West 14.41 chains, corner 15, a point on west bank of river, opposite beech corner, shown as his corner by Dan Parker; thence North 1-00 East 14.24 chains, corner 16, a point on East side of ridge, set a post scribed H.F.P.; thence, up the ridge top with its meanders North 5-19 West 2.62 chains; North 5-32 West 5.18 chains; North 16-49 West 5.89 chains; North 3-06 East 4.05 chains; North 25-19 East 4.11 chains, the place of BEGINNING, containing 39.95 acres.

SIGNED, SEALED AND DELIVERED
in the presence of

} *his*
Dan X Parker (Seal)
March
Jane Parker (Seal)
(Seal)
(Seal)

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

I, Will W. Wiggins, a Notary Public

do hereby certify that Dan Parker

and Jane Parker

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Jane Parker, 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 Notarial seal this 28th day of March, A.D. 1930

Will W. Wiggins
Notary Public.

My commission expires 12-19-30.

Warranty Deed

Dan Parker and wife,

TO

THE STATE OF NORTH CAROLINA

Consideration - - - \$3,900.00

Dated 28th day of March, 1930

Filed for registration on the 27

day of March, 1930, at 5:00

o'clock P.M., and registered in the office

of the Register of Deeds for

Swain

County, North Carolina, on the 28

day of March, 1930, in Book

No. 58 of Deeds, at page 509

Ellis Burnett

Register of Deeds.

FEEs.

STATE OF NORTH CAROLINA
The foregoing certificate of *Swain* County, *Will D. Whiggins & N.P.*
of *Swain* County, adjudged to be correct. Let the instrument and the certificate
be registered. This 27 day of *March* A.D. 1930

W.A. Boering, Clerk Superior Court