

DESCRIPTION OF THE BOUNDARY

OF THE

W. M. LANEY TRACT (117)

Lying on Indian Creek, and being part of Exception 4 to the Champion Fibre Co. Tract (1).

Beginning at Corner 1, which is Corner 2 of Exception 4 to the Champion Fibre Co. Tract (1), and Corner 2 of the W.R. Stiles Tract (118a), a point with witnesses, on a ridge, and in the East Boundary of the original Laney Tract.

Thence, N. 40-52 E.

3.25 A stream flows ~~Southeast~~. *northwest*

35.99 Corner 2, a locust post, with witnesses, scribed W.L. Cor. 4.

A 14" chestnut oak, blazed and scribed B.T.W.L. Cor. 4, bears N. 24-00 E. .06 chain distant.

Thence, N. 51-58 W.

15.65 Corner 3, a white oak stump, Corner 3 of the Allen Baumgarner Tract (114).

Thence, N. 77-~~18~~ W.

With a line of the Allen Baumgarner Tract (114).

~~14.30~~
~~14.67~~ Corner 4, which is Corner 1 of the J.E. Coburn Tract (100-b), a point on the East bank of Indian Creek, in the North Boundary of the original Laney Tract.

Set a post.

A 3-pronged white walnut, blazed and scribed B.T.A.B. Cor. 3, bears S. 40-00 W. .15 chain distant.

Thence, down Indian Creek, with its meanders.

S. 22-49 W.

1.74 A Point.

S. 3-00 E.

1.68 A Point.

S. 30-57 W.

3.03 A Point.

S. 5-41 W. ✓

1.60 A Point.

S. 24-49 W. ✓

5.35 A Point.

S. 3-44 W. ✓

2.12 A Point.

S. 30-51 W. ✓

3.35 A Point.

S. 45-34 W. ✓

3.05 A Point.

S. 7-00 W. ✓

3.09 Corner 5, a point at the mouth of Stiles Branch.

Thence, up Stiles Branch with its
meanders.

N. 73-26 W. ✓

1.87 A Point.

N. 57-15 W. ✓

2.25 A Point.

S. 68-43 W. ✓

1.69 Corner 6, which is Corner 3 of the J.E. Coburn Tract
(100-b), a post beside a 6" basswood, blazed and scribed
J.C. Cor. 3, in Stiles Branch.

Thence, S. 13-39 W. ✓

22.46 ✓ Corner 7, a 14" white oak, with old marks and witnesses,
scribed W.L. Cor. 2.

Thence, S. 76-13 E. ✓

5.84 ✓ Corner 8, a stake on the bank of Indian Creek, scribed
R.S. Cor. 1. W.L. Cor. 3.

Thence, up Indian Creek, with its
meanders.

N. 26-15 E. ✓

2.98 A Point.

N. 20-20 E. ✓

5.16 A Point.

N. 19-01 E.

4.00 Corner 9, a 20" chestnut, scribed R.S. Cor. 3.

Thence, S. 62-00 E.

13.79 The place of beginning, containing 97.83 acres.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N.C.

REPORT ON THE W. M. LANEY TRACT NO. 117.

Location of Tract: This tract lies on Indian Creek, a tributary of Deep Creek about five and one-half miles from Bryson City and adjoins the lands of Allen Bumgarner and others.

Description of Tract: This tract has been used as a home place by the owner for many years and shows some care. The cultivated land is productive and the pasture land is set in grass.

Improvements: A good 3-room log house, five out buildings including the barn and a young orchard.

Valuation: The tract contains 97.83 acres and values are arrived at as follows:

Three-room log house	\$350.00
One log barn	100.00
Four out buildings	50.00
Eight acres bench land	260.00
Sixteen acres of pasture	160.00
Sixty-eight acres of woodland	680.00
Total	<u>\$1,600.00</u>

The appraisers feel that the price of \$1,600.00 is fully justified and recommend the purchase.

Analysis of Title

Tract No. 117.

W. M. Laney---97.83 Acres.

This tract is covered by Grant 587 to Love, Battle and Welch, dated December 8, 1859. See Abstract of Title to Tract 172, page 46.

1. The title under grant 587 is fully set out in the Abstract of Tract 172, pages 46 et seq. It will be noted from this Abstract that W. L. Hilliard and others, heirs at law of James R. Love, R. G. A. Love and R. V. Welch, executed a deed to Clarke Whittier, dated December 20, 1885, covering the lands embraced in Grant 587 with various exceptions. Exception No. 24, which is set out on page 75 of said Abstract, covers a tract of eighty-one acres on Indian Creek, to Elizabeth Vaughn. This exception indicates that a Bond for Title or Contract had previously been made by the owners of Grant 587 to said Elizabeth Vaughn for this tract of land. The description covers the same tract of land hereinafter mentioned from W. L. Hilliard, Guardian of W. H. Thomas to W. M. Laney. By a further deed made on the same date by said W. L. Hilliard and others to Clarke Whittier, the lands embraced in this exception were conveyed to said Clarke Whittier with direction and authority to execute bonds to the holders of Bonds for Title, whose lands had been excepted in the first deed to Clarke Whittier. However, we do not find any conveyance either from the heirs at law of said James R. Love, R. G. A. Love and R. V. Welch or from said Clarke Whittier to Elizabeth Vaughn for this tract.

2. The first deed in this abstract is one from W. L. Hilliard, Guardian of W. H. Thomas, to Elizabeth Vaughn dated May 9, 1893. We do not have the proceedings showing the authority of W. L. Hilliard to execute this deed, however, the deed is color of title. The Description in this deed covers all of Tract No. 117, as will appear by reference to the plat. See page 317-f of Abstract.

3. On July 8, 1903, Elizabeth Ensley, who was Elizabeth Vaughn prior to her marriage, executed a deed to W. M. Laney conveying all the lands described in the aforesaid deed. At the time of this conveyance, Elizabeth Ensley was a widow. This deed is properly executed and is registered in Swain County.

4. On December 5, 1906, W. M. Laney and wife conveyed to the Indian Creek Baptist Church, a small parcel of land containing one-third of an acre, more or less, which is located somewhere within the boundary of Tract No. 117. See page 319-h of abstract.

5. On March 28, 1919, W. M. Laney and wife, conveyed to W. A. Laney, a tract of land containing ten acres, more or less, which is located in the northeast corner of the tract described in a deed of Hilliard, Guardian of W. H. Thomas, to Elizabeth Vaughn.

This deed will be shown in the abstract of the J. E. Coburn tract No. 100-b on page ____.

6. On December 5, 1906, W. M. Laney and wife conveyed to J. B. Laney a tract of land containing fifteen acres, more or less, which is located in the southeast corner of the tract described in a deed from Hilliard, Guardian, to Elizabeth Vaughn. The deed for this tract is shown in the Abstract of W. R. Stiles Tract No. 118-a, on page _____ of abstract.

7. We are informed that W. M. Laney, the present owner of Tract No. 117, and those under whom he claims, have been in the actual occupancy and possession of the aforesaid tract of land for a period of thirty-five years or more, and therefore, we are of the opinion that the title to said tract is good on account of such possession under color of the deeds shown in this abstract. The three deeds from W. M. Laney referred to herein, are referred to only for the purpose of showing the correct boundary lines of Tract No. 117.

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

May 20, 1929.

Mr. W.M. Laney,
Bryson City, N. C.

Dear Mr. Laney:

The title to your land within the Park area
has been approved.

We have drawn a check in payment therefor, and
it is now in the hands of our title attorney at Bryson
City, Mr. Zebulon Weaver.

If you and Mrs. Laney will call at the Park
Commission office in Bryson City and execute the deed,
Mr. Weaver will then turn the check over to you.

Yours very truly,

NORTH CAROLINA PARK COMMISSION

By