

NORTH CAROLINA PARK COMMISSION

Asheville, N. C.

REPORT ON THE H. A. OSBORNE TRACT - NO. 135.

LOCATION:

This tract is listed in the name of J. G. McClure and is located on Noland Creek, adjoining the land of the Champion Fibre Company.

DESCRIPTION:

This tract contains 32.16 acres; all cut-over land, lying on Noland Creek adjoining the land of Champion Fibre Company. It has a good stand of young growth. There are no improvements, having been purchased for its fishing rights.

VALUATION:

The appraisers value this land at \$10.00 per acre, which will make the purchase price \$321.60, according to the option taken.

NORTH CAROLINA PARK COMMISSION
ASHEVILLE, N. C.

REPORT ON THE J. G. McCLURE TRACT - NO. 135-a.

LOCATION:

This tract is located on Mill Creek, a tributary of Noland Creek, at a point where Mill Creek empties into Noland Creek. It adjoins the land of Champion Fibre Company and other properties on this neighborhood.

DESCRIPTION:

This tract contains ^{79.01}~~97.01~~ acres of cutover timber land, on which there is a considerable stand of young young timber.

IMPROVEMENTS:

There are no improvements on this property.

VALUATION:

The appraisers have put a value of \$10.00 per acre on this tract.

OPTION:

The option price on this tract is ^{790.00}~~970.00~~, which price the appraisers approve of.

Analysis of Title

Tract No. 135-a.

1. This tract is covered by Grant No. 22. This Grant and the subsequent title thereto is fully set out and referred to in Abstract of Tract No. 139, pages 1121 to 1149 inclusive, vesting the title in W. T. Mason.

2. The next conveyance is a deed in trust from W. T. Mason to Zebulon Weaver, Trustee, dated June 29, 1912 to secure certain indebtedness to Wachovia Bank & Trust Company. This deed in trust includes Grant No. 22 and is fully set out in Abstract of Tract No. 131, page .

3. Zebulon Weaver, Trustee, by deed dated May 9, 1914, conveyed to Corbin J. Decker a number of tract or land including the lands covered by Grant No. 22. This deed was made pursuant to a sale under the Deed in Trust above mentioned and is recorded in Swain Co. and fully set out in Abstract of Tract No. 131, page .

4. The next conveyance is a deed from Elizabeth C. Mason, who was the wife of W. T. Mason to W. R. Stanford, dated November 25, 1921 conveying a tract of land lying on the waters of Mill Creek and particularly described covering tract No. 135-a. This deed is recorded in Swain County. Page 653 of Abstract.

5. The next conveyance is from W. R. Stanford and wife, P. L. Stanford, to J. E. Coburn, dated April 19, 1923, which deed covers and includes the lands embraced in tract 135-a. This deed is recorded in Swain County. Page 654 of Abstract.

6. The next conveyance is a deed, dated January 19, 1926, from J. E. Coburn to Robert B. Street conveying a number of tracts of land including 135-a. This deed is recorded in Swain County. Page 641 of Abstract.

7. The next conveyance is from Robert B. Street and wife, Margaret Berry Street to James G.K. McClure, dated January 2, 1906. This deed conveys the lands covered by tracts 135 and 135-a by the same description as is set out in the foregoing deed from J. E. Coburn to said Robert B. Street. It is registered in Swain County. Page 655 of Abstract, of tract 135.

8. There is also a small tract of land originally a part of Grant No. 22 and lying adjoining and south of Tract No. 139 and North of the line of 408, which is also a part of the land conveyed in the deed above mentioned from Robert B. Street and wife to James G. K. McClure. The title to this tract is as follows:

Elizabeth C. Mason by deed dated July 12, 1921, conveyed to J. E. Branton, the lands above referred to. This deed is recorded in

9. J. E. Branton and wife by deed dated February 25, 1922 conveyed to J. E. Coburn the lands embraced within this small area by deed which properly recorded in Swain County. Page 661 of Abstract.

10. This small area was conveyed by J. E. Coburn to Robert B. Street by deed dated January 18, 1926, as referred to in paragraph six above.

11. This same small area is included in a deed hereinbefore set out from Robert B. Street and wife, Margaret Berry Street, to James G.K. McClure. This deed is recorded in Swain County. Page 655 of Abstract.

D E E D S I N T R U S T

1.. Corbin J. Decker and wife, while owners of these and other lands adjoining, executed a Deed in Trust to Allen T. Morrison, dated May 9, 1914, to secure an indebtedness therein described. This Deed in Trust covers all the lands embraced in Grant No. 408 and also in Grants Nos. 22, 114, 795, 788 and 789 and is recorded in Swain Co. Page 662 of Abstract.

2. Allen T. Morrison, Trustee, and Wachovia Bank & Trust Co. by deed of Release, July 31, 1925, released and discharged all of said lands of any and all liens by reason of said Deed in Trust recorded in Swain County, Book 10, page 168. This Release Deed is executed by Bertha E. Sluder, B. C. Mason, Katherine H. Decker and J. I. Mason and recites that the indebtedness secured by said Deed in Trust had been paid to Wachovia Bank & Trust Company with money belonging to Mrs. Elizabeth Mason, who had since died intestate leaving the above grantees as her heirs at law. P 663

3. W. R. Stanford and wife executed a Deed in Trust to W. M. Taylor, Trustee for W. W. Lewis, dated December 18, 1925. This Deed in Trust is recorded in Swain County and there appears upon the margin a cancellation by Kelly E. Bennett, Administrator for W. W. Lewis, which recites that the indebtedness had been paid. P 664

4. W. R. Stanford executed a Deed in Trust to S. W. Black, for J. E. Coburn, dated April 12, 1923, covering the lands described in deed from J. E. Coburn and wife to W. R. Stanford. This Deed in Trust has been properly canceled of record.

NOTE: It will be observed that the lands embraced within tract 135-a became vested in Corbin J. Decker and the next conveyance is by Elizabeth C. Mason to W. R. Stanford for the larger portion of tract No. 135-a. In view of the fact that the deed from Corbin J. Decker to Mrs. Elizabeth Mason registered in Book 44, page 484 fails to include these lands, it will be necessary in order to complete title to secure a quit claim deed from Decker. Corbin J. Decker married a daughter of W. T. Mason and Mrs. Elizabeth C. Mason.

12. On May 15, 1928, J.G.K. McClure, Jr. and wife, Elizabeth, conveyed to North State Corporation all of the lands described in a deed from Robert B. Street and wife to J.G.K. McClure, dated February 1, 1926 and recorded in Book 56, page 162. This deed is recorded in Swain County. Page 661-a of this Abstract.

13. J.G.K. McClure, Jr. also executed to S. W. Black, Trustee, for Robert B. Street, a Deed in Trust, dated June 11, 1926, to secure an indebtedness of \$5926.89. This Deed in Trust is uncanceled of record. I am informed by Mr. McClure that all of this indebtedness has been paid and he is in possession of the notes. This Deed in Trust is registered in Swain County. See page 661-b of this Abstract.

14. As set out in a note at the bottom of page 652, it was necessary to secure a quit claim deed from Corbin J. Decker and wife for the lands covered by Tract 135-a. This deed has been secured as will appear from conveyance from C. J. Decker and wife, Katherine M. Decker, to the State of North Carolina, dated May 29, 1929. This conveyance covers four tracts of land including 135-a. It is registered in Swain County. Page 661-c of this Abstract.

NORTH CAROLINA PARK COMMISSION

COMMISSION ON THE PART OF NORTH CAROLINA FOR THE PURPOSE OF
PRESENTING THE CLAIMS OF NORTH CAROLINA FOR A NATIONAL PARK

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

MARK SQUIRES, CHAIRMAN, LENOIR
EUGENE C. BROOKS, SECRETARY, RALEIGH

J. A. HARDISON, WADESBORO
FRANK LINNEY, BOONE
J. ELMER LONG, DURHAM
HARRY NETTLES, BILTMORE
E. S. PARKER, JR., GREENSBORO
MARK SQUIRES, LENOIR

Bryson City, N. C.

June 27, 1929.

Mr. Verne Rhoades,
N. C. Park Commission,
Asheville, N. C.

Dear Sir:

I beg to acknowledge letter enclosing check for T. H. DeBord Tract. I hope to be able to close this up during the week.

I will also prepare the necessary deed for the McClure and the Osborne Tracts. I wish, however, you would hold this matter until I come at the end of the week. I find that it will be necessary to deduct about sixteen acres from the total acreage of the McClure Tract No. 135-a. This grows out of the same situation as the W. F. Laws Tract from which we deducted eleven acres. The Champion Fibre Company is the owner of a tract of twenty-seven acres, which was covered by the Laws Tract and 135-a and to which title is outstanding in the Champion Fibre Company. Having deducted the eleven acres from the Laws tract will leave sixteen acres to be deducted from the McClure Tract.

Also McClure executed a Mortgage to S. W. Black, Trustee for Robert B. Street on a total of about 1400 acres, including 135-a. We will probably have to take a separate release from the Trustee and Robert B. Street or the present holders of the notes for that portion of the lands embraced in the Mortgage covered by Tract 135-a or Mr. McClure will have to secure a release of the Mortgage on the record. I will prepare this release and bring with me.

Very truly yours,

ZW:D

