

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

REPORT ON THE M. T. STANFORD TRACT - NO. 139.

Location of Tract: This tract lies about 7 miles up Noland Creek from its mouth and is also on the tributary of Mill Creek. The road up Noland Creek is negotiable by automobile in good weather.

Description of Tract: This tract has been used as a home place and small farm by the present owner for a great many years. One-third of the tract is open cultivable land, 6 acres being in field and $2\frac{1}{2}$ acres in grass. The balance, about $16\frac{1}{2}$ acres, is in second growth cutover woodland. There is ^{no} evidence of recent forest fires. One-half of the cultivable land is level and the balance is slope of moderate steepness. There is a small orchard, consisting of 42 apples trees and 29 peach trees, all in bearing, and in good condition. There is a good spring within 30 yards of the house and the farm is well watered.

Improvements: The house is a four room box house, 26 x 28, in fair condition. There are 40 rods of hogwire fence in fair condition and one two-stall barn in fair condition. There are no other improvements on the tract.

Valuation: In analyzing the values that go to make up the worth of this tract, the appraisers feel that the improvements are worth as much, in themselves, for a small place of this kind as the owner asks for the entire tract, namely \$550.00.

The tax valuation on the tract on the county records is \$576.00.

The detailed analysis follows:

8 $\frac{1}{2}$ acres farm land @ \$20.00	\$170.00
16 $\frac{1}{2}$ acres Cutover Woodland @ \$5.00	82.50
1 House	300.00
1 Stable	30.00
40 Rods wire fence @ \$1.00	40.00
Orchard	40.00
Total	<u>\$662.50</u>

The title will be abstracted before payment is made.

Analysis of Title

Tract No. 139.

Tract No. 139 is embraced by State Grant No. 152 and State Grant No. 22. Each Grant will be considered separately.

State Grant No. 22.

1. State Grant No. 22 was issued by the State to Jason Wiggins on the 24th day of January 1854 and contains approximately 100 acres. This Grant is duly recorded in Jackson County. See page 1121 of this Abstract.

2. The next tract that we have been able to find of State Grant No. 22 is in a deed from J. A. Thompson to Alfred Cline, dated December 13, 1864 and duly recorded in Jackson County. See page 1122 of this Abstract. We have searched the records in both Swain and Jackson Counties and have been unable to find any conveyances from Jason Wiggins for State Grant No. 22 and are unable to determine how J. A. Thompson acquired title to this Grant.

3. The next tract that we find of State Grant No. 22 is in a deed from Lucy A. Cline, Guardian, of William Cline, Margaret J. Cline, Caney A. Cline, Maryland Cline and Burton Cline, heirs of Alfred Cline, Deceased to James Shuler. This deed conveys several tracts besides State Grant No. 22. This deed recites the authority given Lucy A. Cline by the Superior Court of Jackson County. We are unable to find the original papers filed in the proceeding set out or mentioned in this deed and presume that the proceeding was regular as set out in the deed. This deed is of record in Jackson County. See page 1123 of this Abstract.

4. On November 10, 1870, James Shuler and wife conveyed to T. J. Allen, Rufus Fisher and Thomas G. Fisher all the lands described in the deed mentioned in the preceding paragraph of this analysis, State Grant No. 22 being one of the tracts described in said deed. This deed is of record in Jackson County. See page 1124 of this Abstract.

At this point there is a break in the chain of title. We have been unable to find any conveyances from T. J. Allen, Rufus Fisher or Thomas Fisher covering the State Grant No. 22 or of any of the tracts described in the deed from James Shuler. The conveyances listed below we presume are made by the heirs at law of T. J. Allen, Rufus Fisher and Thomas G. Fisher. In these conveyances a description of the land is not given by metes and bounds but is made by reference to the Fisher and Allen lands.

(a) On April 1, 1891, J. W. Fisher and wife, S. E. Fisher, T. J. Fisher and wife, Jane Fisher, W. V. Davis and wife, J. C. Davis, T. C. Ensley and wife N. T. Ensley and A. L. Fisher deeded to S. C. Allison and R. W. Fisher a one-eighth interest in six tracts of land.

Said tracts being the same as described in the deed from James Shuler and wife to T. J. Allen, Rufus Fisher and Thomas G. Fisher. This deed is of record in Swain County. See page 1126 of this Abstract.

(b) On October 9, 1897, J. M. Watson, Gdr. of Laurence Watson deeded to R. W. Fisher a one-twenty-fourth interest in the land described in the deed from James Shuler to D. J. Allen, Thomas Fisher and Rufus Fisher. We have been unable to find of record the appointment of J. M. Watson as Guardian, nor are we able to find a Petition filed asking for these lands to be sold nor is there an order authorizing the sale of these lands by said Guardian on record. This deed is of record in Swain County. See page 1128 of this Abstract.

(c) On January 20, 1900, R. W. Fisher and wife deeded to S. C. Allison a one-twenty-fourth undivided interest in the Fisher and Allen land. This deed is of record in Swain County. See page 1129 of this Abstract.

(d) On February 3, 1902, Howard Fisher and wife conveyed to S. C. Allison all their interest in six tracts of land, said tracts being the lands described in the deed from James Shuler to Fisher and Allen. This deed is of record in Swain County. See page 1130 of this Abstract.

(e) On March 24, 1891, James N. Fisher and wife, conveyed to L. P. Allen all their interest in the Fisher and Allen lands. This deed is of record in Swain County. See page 1132 of this Abstract.

(f) On August 13, 1897, D. J. Allen and wife conveyed a fractional undivided interest in the Fisher and Allen lands to L. P. Allen. This deed is of record in Swain County. See page 1133 of this Abstract.

(g) On April 14, 1898, L. P. Allen and wife conveyed to Judson Allen a fractional undivided interest which has not yet been determined in the Fisher and Allen lands. This deed is of record in Swain County. See page 1134 of this Abstract.

(h) On October 14, 1891, J. W. Farmer and wife Candis, J. C. Allen and wife Alice, W. H. Fisher and wife Sarah conveyed to Judson Allen four tracts of land including State Grant No. 22. This deed is recorded in Swain County. See page 1136 of this Abstract.

(i) On August 13, 1897, J. D. Allen and wife conveyed to Judson Allen a fractional undivided interest in the Fisher and Allen lands. This deed is of record in Swain County. See page 1138 of this Abstract.

(j) On December 2, 1898, S. C. Allison and wife conveyed to J. U. Wiggins a one-third interest in the Fisher and Allen lands. This deed is of record in Swain County. See page 1140 of this Abstract.

(k) On April 7, 1899, C. A. Baumgarner and wife Pallie, C. A. Moody and wife Margaret conveyed to J. U. Wiggins all their interest in the Fisher and Allen lands. Page 1141.

(1) On December 5, 1901, Judson Allen conveyed to J.U. Wiggins a five-ninth interest in the Fisher and Allen lands, which includes State Grant No. 22. This deed is of record in Swain County. See page 1142 of this Abstract.

(5) On January 23, 1903, James W. Wiggins and wife, Lillie conveyed to J. J. Combs State Grant No. 22. This deed is of record in Swain County. See page 1143 of this Abstract.

(6) On March 24, 1903, J. J. Combs conveyed to the Noland Lumber Company, a partnership composed of W. T. Mason, A. J. Combs and J. J. Combs, State Grant No. 22. This deed is of record in Swain County. See page 1144 of this Abstract.

(7) On May 22, 1905, J. J. Combs conveyed to the Monger Lumber Company, a partnership composed of T. Monger, J. M. Burns and C. E. Gordon, all his interest in State Grant No. 22. See page 1145 of this Abstract.

(8) On September 29, 1903, A. J. Combs and wife, conveyed to the Monger Lumber Company, a partnership composed of T. Monger, J. M. Burns and C. E. Gordon all his interest in State Grant No. 22. This deed is of record in Swain County. See page 1146 of this Abstract.

(9) On October 15, 1902, W. T. Mason and wife conveyed to the Monger Lumber Company, a partnership composed of T. Monger, J. M. Burns and C. E. Gordon all their interest in the Fisher and Allen lands. This deed is of record in Swain County. See page 1147 of this Abstract.

(10) On November 30, 1905, T. Monger, J. M. Burns and C. E. Gordon, trading and doing business as the Monger Lumber Company, T. Monger and wife, Willie K., J. M. Burns, C. E. Gordon and wife, Lucy Stearnes as individuals conveyed to W. T. Mason State Grant No. 22. This deed is of record in Swain County. See page 1149 of this Abstract.

(11) On March 22, 1919, Elizabeth C. Mason and husband W. T. Mason conveyed to M. T. Stanford and wife a tract of land containing twenty-two acres more or less, which said tract is a portion of State Grant No. 22. This deed is of record in Swain County. See page 1150 of this Abstract.

State Grant No. 152.

(12) As State Grant No. 152 has been treated in the Analysis of Title of Tract No. 134 and as the chain of title to the portion of the locus in quo is the same as shown in tract No. 134 from the time the State Grant No. 152 was issued to John T. Foster until the time title to said Grant was vested in the Champion Fibre Company, the conveyances making up the chain of title will not be shown here but may be seen by reference to the Analysis of Title of Tract No. 134, paragraphs 31 to 38, wherein reference is made to the different conveyances making up the chain of title thus far.

(13) On April 6, 1922, the Champion Fibre Company conveyed to M. T. Stanford a tract of land containing four acres or more, which said tract is a portion of State Grant No. 152 and a portion of Tract No. 139 that is not embraced by State Grant No. 22. This deed is of record in Swain County. See page 1152 of this Abstract.

(14) On April 6, 1922, M. T. Stanford and wife M. J. Stanford, executed to the Champion Fibre Company a right of way over Tract No. 139. This instrument is of record in Swain County. See page 1153 of this Abstract.

(15) There are five deed in trust of record in Swain County effecting Tract No. 139. See pages 1156 to 1161 of this Abstract.

(16) We have obtained an affidavit to the effect that M. T. Stanford and those under whom he claims have been in open notorious and continuous possession of Tract No. 139 for a period of thirty years or more. See page 1162 of this Abstract.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N . C.

REPORT ON CHARLES WATKINS TRACT, PART OF 139---6.00 ACRES.

- Location: This tract is located just below the line of the park on Noland Creek and adjoins the land of M. T. Stanford and W.W. Jenkins. It protects the waters of Mill Creek to the lower line of No . 134.
- Description: A small piece of rough land lying between the public road and the creek, most of which has been cleared, but allowed to grow up. It was originally surveyed with No. 139, but left off because it was the below the park line and also because the party asked \$200.00 for it.
- Improvements: A small log cabin worth \$25.00 or \$30.00.
- Valuation: The appraisers valued this piece of land for \$100.00 and option has been taken at this price.

S. F. Chapman

Verne Ruess

W. H. Woodbury

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

A-Purchase
Stanford, M. T.

November 26, 1928.

Mr. J. W. Whisnant,
Bryson City, N. C.

Dear Mr. Whisnant:

Mr. Woodbury has taken an option on the M. T. Stanford tract, which lies on Moland's Creek. We would like to have it handled in the same way we have handled the W. M. Hoyle tract, if it is convenient for you to put someone on the title soon.

If there is anything about the option which you wish to know, Mr. Woodbury will show it to you in Bryson City this week.

Yours very truly,

• Verne Rhoades,
Executive Secretary.

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, BILTHORE
E. S. PARKER, JR., GREENSBORO
MARK SQUIRES, LENOIR

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

A-Purchase
Stanford, M. T.
#139

November 27, 1928.

Executive Committee,
North Carolina Park Commission.

Dear Sirs:

I am sending along with this letter the description of another tract which we have under option, and request your approval for purchasing it.

I do not expect to send many of these reports along to you in this fashion, but inasmuch as we are trying to break the ice on the watersheds where the prices are so stiff, I think it is better for these individual purchases to be made, so that we can point to the prices paid for them to other individual owners in the surrounding territory.

Mr. Woodbury and Mr. Chapman are in Bryson City all of this week endeavoring to obtain additional options from small farm owners who will be in Bryson attending the Federal Court.

Yours very truly,

Verne Rhoades

Verne Rhoades,
Executive Secretary.

VR:S
Encl. 1

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

A-Purchase
Stanford, M. T.
#139

February 17, 1929.

Mr. Worth McKinney,
Bryson City, N. C.

Dear Mr. McKinney:

I notice the option on the Stanford tract
expires February 22.

I understand from Mr. Woodbury that you stated
we could readily afford to give Mr. Stanford \$200.00
and have him deposit his deed in escrow with the bank
in Bryson City in a manner similar to the transaction
which was carried on with Mr. Coffey.

We are enclosing a check for \$200.00 to Mr.
Stanford and ask that you draw the deed, and also see
that the option is extended for a sufficient length of
time to admit the clearing of the title. We would not
want the option to expire while the deed is in escrow,
for that would give Mr. Stanford an opportunity to sell
his land to someone else if he wanted to play unfair.

Yours very truly,

Verne Rhoades,
Executive Secretary.

VR:S
Encl. 1