

Analysis of Title

Tract 146.

A. T. Lollis.

This tract is composed of a number of smaller tracts which are covered by the following grants:

Grant 685 to John Millsaps,
" 587 to Love, Battle and Welch,
" 993 to John A. Millsaps, assignee
of David Shuler
" 702 to James Conley and John Sherrill

The portions of Tract 146 covered by these several grants will be considered separately.

GRANT 685.

1. Grant 685 was issued to John A. Millsaps on December 29, 1860. This grant covers Tract 146 and a number of adjoining tracts. It is registered in Swain County and is fully set out on page 92 of the Abstract of Title to Tract 167.

2. John Millsaps died sometime prior to November 21, 1885 leaving a will dated October 21, 1872, which is recorded in Book 1, page 14 of the records of wills of Swain County. In this will he made a number of specific devises, none of which cover the lands under investigation. He further provided that all of his other real estate so devised should be sold by his executor and disposed of according to law and appointed E. Everett as executor to execute the terms of this will. This will is set out on page 93 of the Abstract of tract 167.

3. Following the execution of this will on January 26, 1880, E. Everett made and executed a deed to W. L. Morris for the lands embraced within Grant 685 calling for 300 acres and providing that all lands covered by said grant and embraced within 587 known as the "Love Speculation lands" and also the lands belonging to the Elizabeth Lollis tract should be platted out. This deed is recorded in Swain County and is fully set out on page 94 of the Abstract of title to Tract 167.

4. On December 30, 1920, W. L. Morris then conveyed to A. T. Lollis and wife, Josie Lollis, a portion of the lands covered by Grant 685, tract so conveyed containing seventy-five acres. This deed covers a large portion of the eastern part of tract 146. It is recorded in Swain County, see page 430 of this Abstract.

PORTION COVERED BY GRANT 587.

5. Grant 587 was issued to R. V. Welch, W. W. Battle and J. R. Love on December 5, 1859, covering a large tract of 50,000 acres. It is fully set out on page 46 of the Abstract of Tract 172.

6. The title to Tract 146 as to this portion thereof covered by Grant 587 is identical with that of Tract 172, beginning with page 46 of the Abstract of that number down to and including two deeds from W. L. Hilliard and others to Clarke Whittier on pages 57 to 86 of said Abstract. The deed from W. L. Hilliard and others set out on page 57 of the Abstract of Tract 172 contains a number of exceptions among them being exception No. 25 for 250 acres on Hammer Branch apparently excepted to W. G. Ingram and Son. In the deed it is stated that these exceptions are made for the purpose of making bond for title therefor, which had been given by the grantors or those under whom them claim prior to the execution of this deed. This exception of 250 acres is also referred to in the second deed made by W. L. Hilliard and others to Clarke Whittier as shown on page 84 of the Abstract of Tract 172. In this Deed W. L. Hilliard and others conveyed to Clarke Whittier all of said exceptions for which bonds for title had been given, with direction and power in said Whittier to execute deeds for said tracts so excepted. In this deed, however, the 250 acre exception to Ingram and Son is reserved for the benefit of R. V. Welch who was one of the grantees in Grant 587. A portion of this exception was later conveyed to the said W. G. Ingram, containing fifty acres and is set out in the Abstract of title to Tract 143-a. The remaining portion of the exception is not shown to have been conveyed to Ingram and apparently the title remains in the Love Estate and R. V. Welch for the benefit of said Welch. There is no bond for title of record and the only evidence of existing bonds is the exception contained in said deed to Clarke Whittier. The exceptions, however, are made by notes and bounds and are specific. Apparently adjoining this exception is a further exception to E. A. Gunter for a tract of seventy-one acres. These exceptions are set out on pages 72 to 82 of the Abstract of Tract 172. A Portion of Tract 146 affected by this exception is an area lying north of the Love, Battle and Welch line and west of the line of Tract 143-a and east of the line of Grant 993.

7. R. D. Gilmer, Administrator do bonis non of James R. Love and James C. Welch, Guardian of R. V. Welch on June 9, 1896, executed a deed to A. J. Parris covering a portion of the original exception of 250 acres hereinbefore referred to and including that portion of Tract 146 covered by Grant 587. This deed is recorded in Swain County and is fully set out in the Abstract of Title to Tract 144 at page 409.

8. A. J. Parris died leaving the following children as his heirs at law:

M. C. Parris
S. B. Parris,
Mary E. Jones, wife of H. H. Jones
E. Lee Parris
Robert Parris
W. W. Parris
Grover Parris

These heirs at law of A. H. Parris are shown by affidavit in Abstract of Tract 144 at page ____.

9. Prior to his death, however, A. J. Parris on January 1, 1897, conveyed to A. T. Lollis a tract of twelve acres of land which includes ~~the~~ portion of Tract 146 covered by Grant 587. This deed is recorded in Swain County. Page 431 of this Abstract.

PORTION COVERED BY GRANT 993.

10. Grant 993 was issued to John A. Millsaps, Assignee of David Shuler on November 25, 1870. The southern end of this Grant is included in Tract 146. This grant is registered in Swain County and is fully set out on page 401 of the Abstract of Tract 144.

11. On March 1, 1871, John A. Millsaps, conveyed to Enos A. Gunter a two-thirds interest and to Elizabeth Lollis a one-third interest in the lands covered by said grant. This deed is registered in Swain County and is set out on page 402 of the Abstract of Tract 144.

12. On April 28, 1873, Elizabeth Lollis conveyed to Enos A. Gunter her one-third interest in the lands covered by Grant 993, the description being identical with the grant. This deed is recorded in Swain County and is set out on page 403 of the Abstract of Tract 144.

13. By deed dated April 10, 1889, Enos A. Gunter and wife, Mary, conveyed back to Elizabeth Lollis a portion of the lands covered by Grant 993 containing twenty-three and one-half acres, covering the southern end of Grant 993. This deed is recorded in Swain County and is set out on page 402 of the Abstract of title to Tract 145.

14. Elizabeth Lollis then conveyed to A. T. Lollis this tract of land containing twenty-three and one-half acres by deed dated February 25, 1903, "except seven acres off the south end sold to John Wiggins and deeded by John Wiggins to A. T. Lollis". This deed is recorded in Swain County and is set out on page 432 of this Abstract.

15. The seven acres referred to as having been excepted in the foregoing deed from Elizabeth Lollis to A. T. Lollis was conveyed to John Wiggins and wife, Aveline Wiggins by said Elizabeth Lollis by deed dated November 18, 1889. The last call in the deed is "North 20 West 20 poles to the beginning". This should be South 20 West but as the call is for the beginning corner it is immaterial. This deed is recorded in Swain County. See page 433 of Abstract.

16. This small tract of seven acres was conveyed by John Wiggins and wife, Aveline Wiggins to A. T. Lollis by deed dated January 14, 1897, the description being the same as in the last named deed. It also conveys three other tracts which John Wiggins had acquired and will be considered further in this Analysis.

17. We then find a deed from W. L. Morris and wife, S. L. Morris to John Wiggins dated February 9, 1891 for a tract of seven and one-half acres, which is difficult to locate but apparently adjoins the southern end of Tract 995, at the date of said deed belonging to Elizabeth Lollis and referred to in the foregoing deeds. It is not clear as to the source of title under which W. L. Morris claimed ownership of this tract. This deed is recorded in Swain Co. Page 434 of this Abstract.

18. We find also a further deed from W. L. Morris and wife, S. L. Morris to John Wiggins dated February 9, 1891, conveying two small tracts of land, the first for four and one-half acres and the other for four acres. Those two tracts apparently cover a portion of the lands covered by Grant 685, near its southwest corner under which W. L. Morris had title. The first tract, however, of four and one-half acres apparently lies north of and outside of the line of 685 and between said line and the line of Grant 702 to which as far as we are able to say at this time, W. L. Morris had not acquired title. This deed is recorded in Swain County and is set out on page 435 of this Abstract.

19. The tracts so conveyed by W. L. Morris and wife to John Wiggins by the three foregoing deeds, one containing seven and one-half acres, one four and one-half acres and the other four acres was conveyed by John Wiggins and wife, Aveline Wiggins, to A. T. Lollis by deed dated January 14, 1897, to which reference is heretofore been made in this abstract in paragraph 7-18. This deed is recorded in Swain County and is set out on page 436 of this Abstract.

20. In the deed hereinbefore referred to from W. L. Morris to A. T. Lollis and wife, Josie Lollis, for seventy-five acres referred to in paragraph 4 of this analysis and which lies largely within Grant 685, it will be noticed that a small area covered by said deed lying south of the line of Grant 685 is included. We have not so far found any grant covering this portion of Tract 146.

21. The first conveyance we have for the above mentioned area is a deed from John A. Millsaps to W. L. Morris dated March 1, 1871, which conveys two tracts of land, the first tract being referred to as No. 510 entered by William Shuler and conveyed to John A. Millsaps. This would apparently cover an area lying south of the southern line of Grant 685 including this small area under discussion.

This deed also conveys entirely tract referred to as No. 2944 for fifteen acres which lies north of the line of Grant 3256 and adjoins the extreme southwestern corner of Grant 685. This is the title under which doubtless W. L. Morris undertook to execute the deed heretofore referred to to John Wiggins for seven and one-half acres. We have, however, been unable to find any grant covering this tract, the title beginning with this deed from John A. Millsaps to W. L. Morris. This deed is recorded in Swain County and is set out on page 438 of this Abstract.

22. Grant No. 702 was issued to James Conley and John Sherrill on December 29, 1860 for a tract of six hundred acres which covers the western portion of tract 146. This grant is registered in Jackson County and is set out on page 439 of this Abstract.

23. We do not find any conveyance for this grant from James Conley and John Sherrill and so far as the record title is concerned we are unable to connect the A. T. Lollis title with this grant.

24. The first conveyance of record affecting grant 702 is a deed from J. P. Panther and wife, F. E. Panther, to S. W. Cooper dated September 16, 1889. This deed conveys a number of grants including grant 702 to James Conley and John Sherrill referred to as dated December 29, 1860 and registered in Jackson County, Book "C" page 644. We have been unable to secure information so far as to the interest of J. P. Panther or F. E. Panther in these lands. The doal was probably made representing an interest as an heir at law of James Conley or John Sherrill. This deed was recorded in Swain County. Page 440 of this Abstract.

25. A further deed from I. W. Fisher and wife, M. E. Fisher, to S. W. Cooper dated November 27, 1889 is found conveying the lands covered by Grant 702 issued to James Conley and John Sherrill. This deed also is recorded in Swain County, and is set out on page 441 of this Abstract.

26. On January 22, 1890, Samuel Conley and wife, Aloyse Conley, also conveyed to S. W. Cooper by special warranty deed, the lands covered by Grant 702. This deed is recorded in Swain County and is set out on page 442 of this Abstract.

27. S. W. Cooper and wife, J. E. Cooper then conveyed to A. T. Lollis a tract of sixty-six acres covering the western portion of tract 146 and being a part of the lands embraced within Grant 702. This deed is dated February 5, 1903 and is registered in Swain County. Page 443 of this Abstract.

28. A. T. Lollis and wife, Laura Lollis, then conveyed to Elizabeth Lollis by deed dated February 23, 1923 a tract of thirty-one acres being a portion of the sixty-six acre tract above mentioned conveyed by S. W. Cooper to said Lollis. This deed is recorded in Swain County. See page 444 of Abstract.

29. Elizabeth Lollis then conveyed by deed dated February 23, 1905, this tract of land containing thirty-one acres to C. J. Harris. This deed is registered in Swain County. Page 445 of this Abstract.

30. Thereafter on December 22, 1911, C. J. Harris re-conveyed this thirty-one acre tract of land to A. T. Lollis by warranty deed. This deed is recorded in Swain County. Page 447 of this Abstract.

31. On November 11, 1919, we also find a deed from A.T. Lollis and wife, Josie Lollis to John Wiggins for a tract of thirty-five acres being a portion of the lands embraced in the sixty-six acre tract conveyed to said Lollis by S. W. Cooper, excepting all mining and clay rights on said tract. This deed is recorded in Swain County. Page 448 of this Abstract.

32. By deed dated September 29, 1917, John Wiggins and wife, Aveline Wiggins, then conveyed to Lonas Wacaster and wife, Sarah Wacaster, the same tract of thirty-five acres conveyed by the last named deed, excepting all mineral and clay rights in said tract to A. T. Lollis. This deed is recorded in Swain County. Page 449 of Abstract.

33. L. T. Wacaster and wife, S. C. Wacaster, executed a deed in trust dated May 4, 1918, to A. T. Lollis, Trustee for John Wiggins and Aveline Wiggins to secure an indebtedness of \$250.00. This deed in trust conveyed the same tract of thirty-five acres and also reserves all mining and clay rights to the said A. T. Lollis. The deed in trust is unrecorded of record. It is recorded in Swain County in Book 11, page 342. Page 450 of this Abstract.

34. So far as shown by the record, the title to this tract of thirty-five acres, subject to the said deed in trust executed by Waycaster and wife last named is outstanding in Lonas Wacaster and his wife, Sarah.

35. However, we find that A.T. Lollis and wife, Josie, by deed dated March 25, 1907 conveyed to Harris-Woodbury Lumber Company a right of way sixteen feet in width to be used for a railroad, tram road or flume to extend up the west bank of Deep Creek and follow said creek as far as may be practicable, a distance of about one-fourth mile, commencing at Morris line and ending on a spruce pine corner where Whittier land. Also a right of way on A. L. Wiggins tract for a wagon road or tram road for the purpose of hauling logs off Hammer Branch; also a right of way three-fourth miles in length through the tract of land known as the Lollis Home place, same being that bought of John Wiggins on the waters of Deep Creek and the June Hank Branch. These right of way apparently affect portions of Tract 146. These deeds are recorded in Swain County. Page 451 of Abstract.

36. By a further deed which was made by A. T. Lollis and wife, Laura Lollis, to C. J. Harris dated February 3, 1905, they conveyed to said Harris all of the kaolin, china clay, potters clay, flint and felspar and all other mineral with mining privileges on five several tracts of land described in said deed. The first four of these tracts being embraced within Tract 146 and being for seven acres, four and one-half acres, four acres and seven and one-half acres on which A. T. Lollis had heretofore reserved clay and mineral rights. This mineral interest is outstanding in the said C. J. Harris. This deed is recorded in Swain County. Page 452 of this Abstract.

NORTH CAROLINA PARK COMMISSION

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 146.

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.....:

A. T. Lollis

.....**is** 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. Subject to taxes.

2. The Northwest portion of Tract No. 146 is apparently covered by Grant No. 702 which was issued to James Conley on December 29, 1860. We do not find any conveyance or will from James H. Conley covering said grant. The only conveyances found are the following:

A deed from F. E. Panther and wife to S. M. Cooper dated September 16, 1889; and a deed from I. W. Fisher and wife, M. E. Fisher to S. W. Cooper, dated November 27, 1889; and also a deed from Samuel Conley and wife, A. Conley to S. W. Cooper, dated January 22, 1890. All of these deeds cover the land embraced in Grant 702, but we have no satisfactory evidence as to just what interest these deeds convey but apparently the interest or a large part of the interest of James Conley in this grant is outstanding in his heirs.

S. W. Cooper and wife undertook to convey, by deed dated February 5, 1903, a tract of sixty-six acres covering the portion of tract 146 referred to, but if the deed from S. W. Cooper and wife had been sufficient to convey all interest of Grant 702, there would still be the following de-facts:

(a) A. T. Lollis and wife conveyed to John Wiggins a tract of thirty-five acres being a part of the sixty-six acre tract conveyed to him by S. W. Cooper. This tract was then conveyed by John Wiggins and wife to Lonas Waycaster and wife, Sarah, excepting all mineral and clay rights in said land. L. T. Waycaster and wife, then executed a deed in trust dated May 4, 1918 to secure the payment of \$250.00 to A. T. Lollis. This deed in trust is u canceled of record and the title to this portion of 146 is outstanding in Lonas Waycaster and wife, subject to said Deed in Trust. See Analysis of title paragraphs 22 to 33.

(b) Subject to right of way to Harris-Woodbury Lumber Company contained in deed dated March 25, 1907.

(c) Subject to deed made by A. T. Lollis and wife, Laura, to C. J. Harris dated February 3, 1905 conveying the kaolin, china clay, potters clay, etc, with mining privileges on certain portion of tract 146 referred to in the Abstract in Paragraph 36 of the Analysis of Title.

4. Subject to right of way conveyed by A. T. Lollis and wife, Josie by deed dated March 25, 1907 to Harris-Woodbury Lumber Company.

5. A. T. Lollis died December 21, 1927, leaving a widow, Josie Lollis and fourteen children as his heirs at law. Their names are set out in the affidavit of Josie Lollis, page 475 of this Abstract.

6. The title to that portion of Tract 146 embraced in a deed from W. L. Morris to A. T. Lollis and wife, Josie, dated December 30, 1920, conveying a tract of seventy-five acres is vested in said Josie Lollis in fee simple by reason of the death of her husband. The title to the remaining portion of said tract is vested in the children above named of the said A. T. Lollis, subject to the dower right of their mother, Josie Lollis.

Analysis of Title

Tract 146-a.

A. T. Lollis - 16.74 Acres.

Portions of this tract are included within the following grants:

Grant No. 630 to Abraham Wiggins

" 3256 to J. H. Wiggins

Section No. 7, District 1, no grant found

Grant 123 to J. H. Wiggins

1. Grant 630 was issued to Abraham Wiggins on October 2, 1841. It lies on both sides of Deep Creek and covers most of Tract 146-a. This grant is registered in Jackson County. Page 462 of this abstract.

2. We have been unable to find any deed from Abraham Wiggins. It will be noted, however, that the above grant is one of the very oldest conveyances issued in this section of the county being dated 1841 and the tract itself has been in long continuous occupation by W. L. Morris and those claiming under him for so many years that the title is undoubtedly matured against all persons. Apparently title became vested in James Wiggins through whom the present owners claim. This title will be continued further in following paragraph of this analysis and as it with other portions of the tract became vested in W. L. Morris, deed from whom will hereinafter be set out.

GRANT NO. 3256.

3. Grant No. 3256 was issued to James H. Wiggins on November 27, 1871 for a tract of land containing forty-one acres lying in what was then Macon County and immediately north of and adjoining Grant 630. This grant covers the north and eastern corner of Tract 146-a. It is recorded in Swain County. Page 463 of Abstract.

SECTION NO. 7 DIST. 1.

1. We do not find any grant of record in Swain County or Macon County for this tract. It, however, is a very old tract and has been held under long continuous possession as will appear by affidavits hereinafter referred to. We think the possession has been sufficient to mature the title in James Wiggins and those claiming under him and failure to find a grant is not now essential.

2. The first deed we find of record in this tract is from Andrew Welch to James Wiggins dated August 23, 1833. This deed covers the south and eastern portion of tract 146-a and also covers all of Tract 150. This deed is registered in Macon County. Page 464 of this Abstract.

3. We then have a deed from James H. Wiggins and wife, P. L. Wiggins to W. L. Morris. The deed is not dated but is acknowledged on March 8, 1876. This deed recites that James H. Wiggins had executed a bond for title to Moses Wiggins on December 19, 1862 and that Moses Wiggins had died and J. M. Smiley had been appointed as his Administrator. It further recites that said Smiley as Administrator had filed a petition to sell the lands to create assets to pay debts of said Moses Wiggins and in this proceeding the said Smiley as Administrator was authorized to sell the lands described in the said bond for the purpose of paying the debts of his intestate and that the said James H. Wiggins had also been ordered by the court in said proceeding to execute a good and sufficient title to the purchaser of said land. It also recites that these lands were sold by the Administrator on the 4th day of January 1875 and were bid in by W. L. Morris, and this deed was made pursuant to bond and court proceeding.

We have not been able to find the court proceeding referred to but we think the recitals in the deed were sufficient to establish the facts therein set out and this deed sufficiently vested the title of James H. Wiggins and wife in said W. L. Morris. This deed covers sixty acres including all of tract 146-a. It is recorded in Swain County. Page 465 of this Abstract.

4. W. L. Morris and wife S. L. Morris then executed a deed to J. K. Morris dated November 19, 1901 for a tract of twenty-four and one-eighth acres, being a portion of the sixty acre tract acquired by said W. L. Morris from J. H. Wiggins by the last named deed. We think this deed covers all of Tract 146-a and also most of Tract 150. It is recorded in Swain County. Page 467 of this Abstract.

5. J. K. Morris and wife, M. H. Morris then deeded this twenty-four and one-eighth acre tract to Z.V. Morris by deed dated January 25, 1905. This deed is recorded in Swain County. Page 468 of this Abstract.

6. By deed dated June 9, 1910, Z.V. Morris and wife, Maudie Morris conveyed to J. L. Wiggins the same twenty-four and one-eighth acre tract. This deed is recorded in Swain County. Page 469 of this Abstract.

7. J. L. Wiggins and wife, Mary Wiggins, then conveyed to A. T. Lollis by deed dated March 1, 1911 this tract of twenty-four and one-eighth acres excepting therefrom one-half acre in and around the graveyard. This one-half acre exception is apparently not included within the boundary lines of tract 146-a, but lies adjoining. This deed is recorded in Swain County. Page 470 of this Abstract.

S. A. T. Lollis and wife, Josie, by deed dated April 19, 1917, conveyed to A. S. Swain a small tract of two acres off the southeast end of tract 146-a. This two acres is included in the title to tract 150 and should be deducted from the acreage of Tract 146-a. This deed is set out in the "Abstract of tract 150 at page _____.

9. We also find a deed from William H. Higdon to John A. Millsaps, dated March 15, 1856 and recorded in Jackson County in Book 1, page 498, conveying a tract of fifty acres which includes apparently a portion of Grant 630 and 3256. This deed would cover a small portion of Tract 146-a. We are unable to find from the records what interest William H. Higdon had in the lands and so far have not connected the title of the present claimants with John A. Millsaps. However, due to the fact hereinbefore stated, this tract has been in long continuous adverse possession and we feel that the title has matured against any claimants under this deed or other source of title. This deed is recorded in Jackson County. Page 471 of Abstract.

DEEDS IN TRUST

The following deeds of trust were executed by A. T. Lollis:

(a) A. T. Lollis and wife, Josie, to W. A. Gibson, Trustee, to secure \$385.00 dated March 1, 1911. This deed in trust is properly canceled of record. Page 472 of Abstract.

(b) A. T. Lollis and wife, Josie, to W. B. Carringer, to secure \$100.00. This deed in trust affects part of the lands of tract 146. It has, however, been canceled of record. Page 473 of Abstract.

(c) A. T. Lollis to S. W. Enloe, Trustee for C. J. Harris to secure \$100.00. This deed in trust is dated February 16, 1912, and covers the thirty-one acre tract of land conveyed by J. L. Wiggins and wife to A. T. Lollis, being a portion of Tract 146. This deed in trust is not canceled of record. It is registered in Swain County. Page 474 of Abstract.

146 and 146-a.

We call attention to the affidavits of _____ and _____ as to possession upon grants 630, 3256 and Section No. 7. These affidavits are set out on page _____ of this Abstract.

11. A. T. Lollis died leaving a widow and heirs at law to whom his interest in said lands descended, subject to the dower rights of his widow. We call attention to the fact that the deed from W. L. Morris for the seventy-five acre tract including the eastern part of tract 146 was made to A. T. Lollis and his wife,

Josie Lollis and upon the death of said A. T. Lollis, the title to that portion of 146-a became vested in said wife.

A D D E N D A

12. A small portion of tract 146-a may be covered by Grant No. 123. This grant was issued to James H. Wiggins on January 11, 1881, and covers a tract of fifty-four acres. It adjoins Section No. 7 on the east and it is possible that a small area included in the southeastern corner of tract 146-a is covered by this grant. It is registered in Swain County and is fully set out on page _____ of the Abstract of tract 151.

13. The title under this grant from James H. Wiggins and wife passed to said A. T. Lollis through the same deeds heretofore referred to in this analysis and set out in the Abstract.

14. We call attention, however, to the following conveyances, which affect this title, towit:
conveyed

15. James H. Wiggins to Sherrill Wiggins by deed dated October 5, 1878, a small tract of five acres, covering that portion of tract 146-a, lying south of the southern line of grant 630. This deed is recorded in Swain County, page 476 of this Abstract.

16. Sherrill Wiggins then conveyed this tract of land to W. L. Morris by deed dated September 12, 1887. This deed is recorded in Swain County. Page 477 of this Abstract.

17. The title of W. L. Morris then passed to A. T. Lollis by the deed hereinbefore referred to in this analysis from W. L. Morris to said Lollis conveying twenty-four and one-eighth acres.

NORTH CAROLINA PARK COMMISSION

ATTORNEY'S CERTIFICATE AND OPINION

Tract No. 146-a

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.....:

A. T. Lollis

.....~~is~~ 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. Subject to taxes.
2. A. T. Lollis and wife, Josie Lollis, by deed dated April 19, 1907, conveyed to A. S. Swaim, a tract of two acres off the southeast end of tract 146-a. This two acre tract is included in tract 150 and should be deducted from the acreage of tract 146-a.
3. Subject to deed in trust from A. T. Lollis to S.W. Enloe, Trustee for C. J. Harris, dated February 16, 1912 to secure the payment of \$100.00.
4. The title to this tract is now vested in the heirs at law of A. T. Lollis set out in affidavit of Josie Lollis, Abstract of title to Tract 146, page 475 subject to the dower rights of the said Josie Lollis.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

July 29, 1929.

REPORT ON THE A. T. LOLLISS TRACTS - NOS. 146, 146a: 160.71 ACRES.LOCATION:

Tract No. 146 is located on the waters of Deep Creek and adjoins the lands of other small property owners about 3 miles from the mouth of Deep Creek.

Tract No. 146a is located on the waters of Deep Creek, it being the nearest tract to Bryson City, about 2 miles from the mouth of Deep Creek.

DESCRIPTION:

Tract No. 146 is a mountain farm, largely woodland, in fairly good condition, although steep.

Tract No. 146a is a small tract, all cleared and under a high state of cultivation, practically all level land.

IMPROVEMENTS:

Tract No. 146 has a three room box house and log barn in good condition. Also about five acres under fence.

Tract No. 146a has a seven room frame house, barn, apple house and other outbuildings, in good condition. Several bearing apple trees and 17 acres of cultivable land, 10 of which is flat and balance upland, but all very productive and well farmed.

VALUATION:

3 room box house	\$150.00
Log Barn	100.00
Frame House	1050.00
Barn, frame	500.00
Apple house and other bldgs.	200.00
10 acres bottom land @ 75.00	750.00
12 acres bench land @ 30.00	360.00
139 acres wood land @ 10.00	1390.00
Total	\$4500.00

This being the appraisal price, your approval is requested.