

Analysis of Title

Tract No. 162.

Mrs. Beatrice Ely.

This is a small tract of land lying immediately south of Tract 160 and formerly a portion of that tract - owned by J. T. Queen. The title, except as hereinafter mentioned, to Tract 162, is identical with that of J. T. Queen to that portion of Tract 160 lying immediately east of the line of Grant 125 and within Grant 1000 and Grant 967. As the title of said Queen is in the Analysis of 160, it will not be repeated here. This title will be found in the Abstract of said Tract 160 at pages \_\_\_\_\_.

1. J. T. Queen and wife, Ruth Queen, by deed dated Aug. 14, 1915, conveyed to Beatrice Ely a tract of ten acres covering all, except one-half acre, of Tract 162. This deed is recorded in Swain County. Page 976 of Abstract.

2. The remaining portion of Tract 162 containing one-half acre is identical with the title of William Cope to the lands covered by Tract 163. This title will be found fully set out in the Abstract of Tract 163, pages \_\_\_\_\_ and will not be repeated at this point.

3. William Cope and wife, Delphia Cope, by deed dated August 5, 1915 conveyed to Beatrice Ely a small tract containing one-half acre embraced within the area of Tract 162. 777.

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

October 24, 1929.

Mrs. G. C. Read,  
c/o The Geer Drug Co.,  
Spartanburg, S. C.

My dear Madam:

According to the best information we can obtain, you are the owner of 5.81 acres of land situated within the boundaries of the Great Smoky Mountains National Park.

We have been acquiring land within this area since the first of January, 1929, and up to the present time have acquired all but five or six of the farm tracts situated above the boundary line on Deep Creek, in Swain County, North Carolina.

We have had the fortune, in some instances, of having lands located within the Park area donated to us for this great park, and I am wondering if you would consider the possibility of making a gift of your tract to the State of North Carolina for this purpose.

We must secure 214,000 acres on the North Carolina side, and the like area must be acquired in Tennessee, before the Federal Government will finally begin the development of the park for sightseeing purposes. We have purchased or otherwise acquired about 70,000 acres, and, in addition, have about 75,000 acres belonging to lumber companies under condemnation. The successful negotiations with one additional large owner would swell the above total to about 200,000 acres. We are rapidly acquiring, at the rate of about 20 tracts a month, the remaining area of small farms and woodland ownerships. Furthermore, we hope to be able to turn over to the Federal Government in the next few days the first 150,000 acres in the two States.

If you do not feel that you can make such a generous gesture as donation would call for, would you please indicate the price which you are willing to dispose of your holdings for.

I would greatly appreciate a reply at your early convenience.

Yours very truly,

Verne Rhoades,  
Executive Secretary.

Young Matress Eliza

October 25 '29

Read J. C. My

Mr Verne Rhoades

Dear Sir -

I beg to  
acknowledge the receipt  
of your letter regarding my  
place in the N.C. Mountains  
and will let you hear  
from me within the  
next few days.

Very truly yours

✓ Mrs J. C. Read  
439 Connecticut Ave  
Spartaburg  
S.C.

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

November 12, 1929.

Mrs. G. C. Read,  
439 Connecticut Ave.,  
Spartanburg, S. C.

My dear Madam:

Your letter of November 7 is received.

I can, of course, appreciate that you may not be able to make a donation of your property in Swain County to the North Carolina Park Commission. No one ought to make a sacrifice in this matter.

However, all of our appraisers are unanimous in agreeing that the price for which you are offering the tract, \$2,150.00, is considerably in excess of its fair cash market value.

The place has not been occupied for several years, the porch to the cabin is in a bad state of repair and the roof is leaky, and the ceiling in some places falling down. While we do not question the amount of money you originally placed in the property, still we do not feel that we can offer more than \$1,500.00 for the property, as it stands, and believe this amount to be in excess of its fair cash market value.

We are hastening our purchase program and would be very glad to send you an option for 3 months immediately, if you would agree to the above price.

Yours very truly,

Verne Rhoades,  
Executive Secretary.

Spartanburg, S. C.  
439 Connecticut Avenue,  
November 7, 1929

Mr. Verne Rhoades,  
Executive Secretary,  
Box 1232,  
Asheville, N. C.

Dear Sir:

In response to your letter October 24th would like to say it would be most impossible for me to consider making a donation of my property in Swain County to The North Carolina Park Commission, as I feel that this would be unfair to me, and a patriotic call that is beyond my ability.

In the beginning I would like to assure you that I have no desire to sell the property and would far prefer, if it were possible to do so, that it be not disturbed, realizing, of course, that if it comes in the survey, I am more or less helpless to prevent its ultimate disposal.

As a brief explanation, permit me to say that the home and barn were built from virgin timber, cut from the land on which it stands. The location of the land was selected after much time and investigation on account of its scenic beauty and being in the wilds as nature made it, which insured utmost privacy as desired.

It is difficult to estimate my expenditure on the property, but I state positively that more than \$4000.00 was put into the buildings, etc.

I have not for the last three or four summers used the place, due to my inability to leave the city, yet it was my firm intention to make some needed repairs and enjoy summers there.

I exceedingly regret that it is to be taken and still hope you might find a way not to disturb my property, and in this I feel sure you know that I am sincere.

In the event that it must be taken, I would like to say that I would accept \$2150.00, which I estimate is less than 50% of what was spent on my home.

Should you desire a personal interview, either Mr. Read or myself could possibly arrange to see you if that be necessary.

Trusting that something yet may occur to prevent the disturbance of the property, I am,

Cordially yours,

*Mrs G. C. Read*

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

November 16, 1929.

Mrs. G. C. Read,  
439 Connecticut Ave.,  
Spartanburg, S. C.

My dear Mrs. Read:

Your letter of November 14 is received.

I am enclosing herewith an option made out in the name of your husband and yourself for your joint signatures. This option is for three months. It is customary for us to take an option for a three months period, but I think the title to your land has been examined by our title attorneys, although I have not learned whether the title is clear enough for Government acceptance or not. I will let you know about this shortly. If the title is clear, we can make out a check for you within a few days.

I note carefully what you have to say about our offer of \$1,500.00 and your feeling that this amount is lower than what the property ought to bring.

For your information, I can assure you that all of us believe this price of \$1,500.00 is quite liberal. It is considerably in excess of any amount we have paid for any property on Deep or Indian Creeks. For instance, the Cope tract adjoining yours was bought for \$10.00 an acre and contained 88 acres. We have purchased the J. T. Queen tract, which adjoins your tract on the north, containing 116 acres for \$3,000.00.

Another index of the value of your property may be taken from the tax books, which show an appraised value by the tax assessors of only \$1,000.00. I believe, in the light of these figures, that you can rest assured that you are getting full market cash price for your property.

I appreciate your feeling in the matter that you do not want to enter into any litigation concerning this tract. The Commission feels the same way about its purchases, and up to date we have been able to acquire more than 200 separate tracts and only some 4 or 5 we had to condemn because of disagreement as to values.

Yours very truly,  
Verne Rhoades, Executive Secretary.

Spartanburg, S. C.  
November 14, 1929

Mr. Verne Rhoades, Executive Sec.,  
North Carolina Park Commission,  
Box 1232,  
Asheville, N. C.

Dear Sir:

I have your letter of the 12th with further reference to my place in Swain County, North Carolina.

When I made you the offer of \$2150.00 on this place, it was not my intention to attempt a hold-up on the Commission, but I sincerely felt that this price was very reasonable from the amount of money I had spent and the plans I had in mind of making necessary improvements to cover the defects in the house, which you outlined in your letter, all of which I was aware of. I know that even though I should not desire to sell this place, there is no question but what the Commission is endowed with sufficient power to condemn and take the property.

I have no intention whatever of going to the expense of litigation, thereby causing a possible delay in your plans, and while I still feel that you should be willing to take an option at something in excess of \$1500.00, I will leave the matter entirely to you and if you believe that this price is fair and just, based on what the nearby neighbors and others are receiving, you may send me the option as suggested in your letter, and I will sign same and return it to you immediately, but I will frankly ask that you give this a little further consideration, and if you feel disposed to raise this amount slightly, it will be most acceptable to me; however, I will stand by my agreement and sign an option for \$1500.00, if you feel that this is just.

Cordially yours,

*Mrs. G. C. Reed*

THIS AGREEMENT, made this 16th day of November

A.D. 1929 ,

by and between BEATRICE READ AND HUSBAND, G. C. READ,

South  
of Spartanburg County, ~~North~~ Carolina, hereinafter called the VENDOR, whether one or more, and THE STATE OF NORTH CAROLINA, hereinafter called the VENDEE:

## WITNESETH:

That whereas Vendor is the owner of certain lands within the area designated by the Secretary of the Interior of the United States of America for a national park to be known as the Great Smoky Mountains National Park, under the provisions of the Act of Congress, 44 Statutes at Large 616, which lands are also embraced within the boundary mentioned in Chapter 48 of the Public Laws of North Carolina, Session of 1927:

And whereas the Vendee is desirous of acquiring title to said premises for inclusion in said Great Smoky Mountain National Park;

NOW, THEREFORE, the Vendor for and in consideration of the sum of ONE DOLLAR to him in hand paid, receipt of which is hereby acknowledged, and other valuable considerations moving him thereto, agrees to sell and convey in fee simple to the Vendee at the option and upon the demand of said Vendee, its successors and assigns, at any time within three months from the date of these presents, all those certain lands situate in

Township, Swain

County and State aforesaid, containing 5.81 acres, more or less, adjoining the lands of and others, bounded and described as follows:

TRACT NO. 162

(NOTE: All bearings in this description were turned from the true meridian, and all distances are expressed in chains of 66 feet.)

BEGINNING at Corner 1, which is Corner 11 of the J. T. Queen Tract (160), and a corner of the William Cope Tract (163), a 12" locust with marks, blazed and scribed Q-4. Thence, with lines of the J. T. Queen Tract (160), N. 28-54 W., 3.91, Corner 2, a point at corner of wire fence on bank of road. A 14" sourwood blazed and scribed B.T.Q. 4, bears S. 40-00 W., .22 chain distant. Thence up the road with its meanders and still with the J. T. Queen Tract (160), S. 78-46 E., 2.27 a point; N. 81-26 E., 2.02 a point; N. 62-29 E., 4.65, Corner 3, a point at corner of wire fence. Thence S. 50-01 E., leaving road, 5.89, Corner 4, an 8" white oak with old marks, on ridge top, blazed and scribed E-2. Thence, S. 57-03 W., 9.99, Corner 5, which is a corner of the William Cope Tract (163), an 8" hickory on main divide between Galbraith's Creek and Indian Creek, blazed and scribed E-1. Thence, with a line of the William Cope Tract (163), N. 33-34 W., 4.63, the place of BEGINNING, containing 5.81 acres.

The Vendor agrees to procure and have recorded at his own expense all such deeds and other evidences of title which he may be advised by the Attorney-General of North Carolina or his assistants are necessary and proper to vest in the Vendee good and sufficient title to said land.

The price to be paid for said lands by the Vendee is the sum of \$1,500.00, payable as follows:

Cash upon delivery of deed.

In the event the price is by the acre, such acreage shall be ascertained by an accurate survey made by the Vendee.

In the event that the title of the Vendor is not satisfactory to the Attorney-General of North Carolina, title may be acquired by the institution of condemnation proceedings, in which event the evidence to be presented by both parties to this agreement before the appraiser or appraisers in condemnation proceedings in the valuation of said land shall be the same price as stipulated in this agreement.

It is agreed that any demand or notice to the Vendor on the part of the Vendee of the acceptance hereof shall be through the Chairman or Executive Secretary of the North Carolina Park Commission.

IN WITNESS WHEREOF the said Vendor has hereunto set his hand and seal, the day and year first above written.

SIGNED, SEALED AND DELIVERED

in the presence of

Horace M. Johnson }  
Henry S. Still }  
x Beatrice Read (Seal)  
x George (Seal)  
..... (Seal)  
..... (Seal)

SOUTH  
STATE OF ~~North~~ CAROLINA Spartanburg COUNTY.  
Notary Public

I, \_\_\_\_\_, a. Notary Public  
do hereby certify that G. C. Read  
and Beatrice Read

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Beatrice Read, 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 18<sup>th</sup> day of November, A.D. 1929.

*Seal here* j. m. Duncan  
Notary Public for South Carolina

My commission expires \_\_\_\_\_

At pleasure of Governor.

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

November 20, 1929.

Mrs. G. C. Read,  
439 Connecticut Ave.,  
Spartanburg, S. C.

Dear Mrs. Read:

The option signed by yourself and husband  
has been received.

I have a report from the title attorney in  
Bryson City that the title is clear, except for the pay-  
ment of 1929 taxes amounting to \$22.50.

I am having the title attorney to draw up  
the deed for your signature, and will send it to you as  
soon as it arrives here.

If you wish, we can deduct the \$22.50 for  
taxes from the purchase price and pay the due taxes our-  
selves, sending you a receipt, together with check for the  
balance, of \$1,477.50.

If, however, you prefer to settle the taxes  
yourself and wish to receive our check for the full amount  
of \$1,500.00, we will send you the check for the full amount  
as soon as you notify us that you have paid the taxes.

Yours very truly,

Verne Rhoades,  
Executive Secretary.

VR:S

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

November 20, 1929.

Mr. Zebulon Weaver,  
Bryson City, N. C.

Dear Mr. Weaver:

Mrs. G. C. Read, of Spartanburg, S. C., has sent us an option for Tract No. 162, on Indian Creek. Mr. Sloan told me this morning that the title was O. K. except for 1929 taxes.

Will you please have the deed prepared for Mrs. Read's signature, and I will see that she gets it?

The amount to be paid to Mrs. Read is \$1,500.00. Her name is Beatrice Read and her husband's name is G. C. Read, both of Spartanburg, S. C. That tract, as I understand it, is in Mrs. Read's name.

Yours very truly,

Verne Rhoades,  
Executive Secretary.

VR:S

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

November 27, 1929.

Mrs. G. C. Read,  
c/o The Geer Drug Co.,  
Spartanburg, S. C.

Dear Mrs. Read:

Your letter of November 25 is received.

We shall take immediate steps to pay  
your taxes and deduct \$22.50 from the purchase price  
of your land.

I am enclosing a deed for the signature  
of yourself and husband.

The Title Attorney assures me that the  
title is clear, and just as soon as I can get the  
Executive Committee together to o. k. the purchase  
of this tract, which must be done in every case, I  
shall be glad to forward the check to you.

Very sincerely yours,

Verne Rhoades,  
Executive Secretary.

VR:S

# THE GEER DRUG COMPANY

CHARLESTON - SPARTANBURG - GREENVILLE

## WHOLESALE DRUGGISTS

SPARTANBURG, S.C.

November 25, 1929

Mr. Verne Rhoades,  
Executive Secretary,  
N. C. Park Commission,  
Box 1232, Asheville, N. C.

Dear Sir:

I have your kind letter of the 20th in regard to the property in Swain County and wish to advise that it will be perfectly satisfactory to me for you to deduct the amount of the taxes for the year 1929 in the sum of \$22.50 and send me your check for the remainder \$1477.50.

For many reasons I regretted exceedingly the necessity for disposing of this property; however, realizing all the circumstances that surround it, I am reconciled to it and wish to take this occasion to thank you for the fair treatment which you and the Board have extended.

Yours very truly,

*Beatrice Read*

# 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. W. BUCK, RALEIGH  
JOHN D. DAWSON, RALEIGH  
PLATO EBBIS, RALEIGH  
R. T. FOUNTAIN, ROCKY MOUNT

MARK SQUIRES, Chairman, LINCOLN  
EUGENE C. BROOKS, Secretary, RALEIGH

J. A. HARDISON, WADDESBORO  
FRANK LINNEY, BOONE  
LESTER LONG, DURHAM  
MARK SQUIRES, LINCOLN  
E. S. PARKER, JR., GREENSBORO  
MARK SQUIRES, LINCOLN

Bryson City,  
North Carolina,  
November 30, 1929.

Mr. Verne Rhoades,

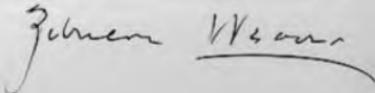
Asheville, N. C.

Dear Mr. Rhoades:

I have your letter of the 27th enclosing check for \$2,000.00 for purchase of J. B. Laney tract and also check for \$22.50 for taxes on the Beatrice Ely tract.

I have taken up the deed from J. B. Laney and wife for tract No. 122 and filed the same for record. I beg to enclose herewith tax receipt for the Ely (now Mrs. Reed) tract.

Very truly yours,



ZW:D

ENC.

# 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  
C. L. COOPER, RALEIGH  
JOHN C. DAWSON, RALEIGH  
PLATO EBBSS, ASHEVILLE  
R. T. FOUNTAIN, ROCKY MOUNT

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

J. A. HARDISON, WAKEFIELD  
T. C. HARRIS, RALEIGH  
J. ELMER LONG, DURHAM  
HARRY NETTLES, BURLINSON  
E. S. PARKER, JR., GREENSBORO  
MARK SQUIRES, LENOIR

Bryson City,  
North Carolina,  
November 22, 1929.

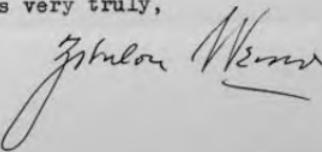
Mr. Verne Rhoades,  
Executive Secretary,  
Asheville, N. C.

Dear Mr. Rhoades:

I have your letter of the 20th in regard to deed from Mrs. Beatrice Read and husband, G. C. Read, for Tract No. 162. I am enclosing the deed herewith. Mr. Sloan I think gave you the amount of the taxes for 1929, for which you can arrange with them.

The title from the records is vested in Beatrice Ely, but I take it from your letter that she has subsequently married.

Yours very truly,



ZW:D  
ENC.

## STATE OF NORTH CAROLINA

Swain

COUNTY. }

THIS DEED, Made this 30<sup>th</sup> day of November, A.D. 1929, by and between  
G. C. Read and wife Beatrice Read  
of Spartanburg 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 Fifteen Hundred-----No/100 (\$ 1500.00 ) 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 Charleston Township Swain County, State of North  
Carolina, particularly described as follows, viz.:

## Tract (162)

NOTE: All bearings in this description were turned from the true  
meridian, and all distances are expressed in chains of 66 feet.

BEGINNING at Corner 1, which is Corner 11 of the J. T. Queen Tract (160), and a corner of the William Cope Tract (163), a 12" locust  
with marks, blazed and scribed Q-4; thence, with line of the J. T.  
Queen Tract (160); N. 28-54 W. 3.91 chains, Corner 2, a point at  
corner of wire fence on bank of road, a 14" sourwood blazed and sc-  
ribed B. T. Q. 4, bears S. 40-00 W. .22 chain distant; thence, up the  
road with its meanders and still with the j. T. Queen Tract (160);  
S. 78-46 E. 2.27 chains; N. 81-26 E. 2.02 chains; N. 62-29 E. 4.65  
chains, Corner 3, a point at corner of wire fence; thence, S. 50-01  
E. leaving road 5.89 chains, corner 4, a 8" white oak with old marks,  
on ridge top, blazed and scribed E-2; thence, S. 57-03 W. 9.99 chains  
Corner 5, which is a corner of the William Cope Tract (163), an 8"  
hickory on main divide between Galbraith's Creek and Indian Creek,  
blazed and scribed E-1; thence, with a line of the William Cope  
Tract (163); N. 33-34 W. 4.63 chains the place of BEGINNING,  
containing 5.81 acres.

Also all other pieces, parcels or lots of land or  
interest in lands located within the area designated by the  
Secretary of the Interior as the "Great Smoky Mountains National  
Park".

IN TESTIMONY WHEREOF, the said grantors have signed and sealed these presents the day and year  
above written.

SIGNED, SEALED AND DELIVERED  
in the presence of

Grace G. Johnson  
G. Pearce

John Read (Seal)  
Beatrice Read (Seal)  
..... (Seal)

South  
STATE OF ~~NORTH~~ CAROLINA..... Spartanburg..... COUNTY.

I, ..... a. Notary Public  
do hereby certify that G. C. Read  
and Beatrice Read

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said **Beatrice Read**, 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 Notary seal this 30<sup>th</sup> day of November, A.D. 1929.

My commission expires:

At pleasure of Governor

### Notary Public.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

December 3rd, 1929.

REPORT ON THE MRS. BEATRICE ELA TRACT - NO. 162 | 5.81 ACRES.  
OWNED BY MRS. G. C. READ, SPARTANBURG, S. C.

LOCATION: This tract is located on Indian Creek, on the southern boundary of the Park line, and adjoins the lands of other small property owners in that vicinity.

DESCRIPTION: A mountain camp located on the divide between Indian Creek and Galbraiths Creek. The land is nearly level, set in grass, and surrounded by large oak trees.

IMPROVEMENTS: A large one-story log house, containing about 5 rooms; ceiled inside, wide porches on the front, rock chimneys, and has evidently cost more than the place is bought for. Water is piped to the house and a large cistern was built to catch the rain water.

VALUATION: The appraisers put a value of \$1,500.00 on this property, and have taken an option at this price.

APPRAISERS.

APPROVED BY THE EXECUTIVE COMMITTEE  
NORTH CAROLINA PARK COMMISSION:

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

December 16, 1929.

Mrs. Beatrice Read,  
Spartanburg, S. C.

Dear Mrs. Read:

I am enclosing herewith check for \$1,477.50 and Tax Receipt from Swain County for \$22.39, also 11¢ in stamps to cover the deficit between this receipt and the \$22.50 deducted from purchase price.

The above check, etc., are in full payment of the purchase price of your land in the National Park.

Yours very truly,

Verne Rhoades,  
Executive Secretary.

VR:S