

Analysis of Title

Tract No. 165.

1. As the chain of title and the different conveyances making up said chain of Tract No. 165, have been shown in the Abstract of Title of Tract No. 167, the same will not be repeated here but may be seen by reference to the Abstract of Title of Tract No. 167. Tract No. 165 was deeded by Hardy Clark to Annie Cagle and was vested in Hardy Clark by the same conveyances that make up the chain of title of Tract No. 167.

2. On October 20, 1915, D. H. Clark conveyed to Annie Cagle Tract No. 165. This deed is of record in Swain County. See page 81 of this Abstract.

3. As we are dependent largely upon possession for title to this tract, we have obtained an affidavit to the effect that Annie Cagle and those under whom she claims have been in the continuous and adverse possession of Tract No. 165 for a period of thirty years and more. See page of this Abstract.

R. L. Hyatt being duly sworn deposes and says that he is 32 years of age and has been a resident and citizen of Swain County for a period of 38 years.

Affiant further states that he is familiar with the ownership and possession of certain lands owned by Annie Cagle, located on Deep Creek, Swain County, North Carolina and more particularly described as follows:

"Beginning at corner 1; thence, with lines of the Hardy Clark land and with meanders of ridge S. 13-34 W. 1.33 chains; S. 29-59 W. 3.12 chains; S. 22-54 W. 2.82 chains; S. 16-53 W. 4.70 chains; S. 27-38 W. 2.79 chains; S. 72-26 W. 4.68 chains, corner 2, a point at corner of wire fence, on knob; S. 23-52 W. leaving ridge 3.00 chains, Public road, 4.50 chains, stream flows west, 13.94 chains, corner 3; S. 12-56 E. 5.16 chains, corner 4; thence with a line of the Lee Wiggins Tract (145-a) N. 68-57 W. 7.16 chains, corner 5; thence, with lines of the Wes Wiggins Tract (153), down ridge N. 30-56 W. 2.47 chains; N. 86-41 W. 5.13 chains; S. 76-40 W. 3.52 chains; N. 71-18 W. 3.32 chains; N. 9-40 W. 4.77 chains; North 11-44 E. 3.33 chains; N. 52-16 W. 3.51 chains, corner 6; thence, with lines of the Frankwood Mfg. Co. Tract (155); S. 86-45 E. 3.50 chains, corner 7; N. 32-06 E. 8.50 chains, corner 8; thence, with the meanders up the ridge, a line of the Hattie McCracken Tract (154-a) N. 34-30 E. 3.57 chains; N. 15-36 E. 2.68 chains; N. 42-41 E. 5.55 chains; N. 29-11 E. 5.19 chains; N. 44-56 E. 3.32 chains; N. 51-52 E. .91 chains, corner 9; thence, with a line of the J. L. Cathey Tract (157), and still with the meanders of the ridge N. 85-53 E. 3.08 chains; S. 59-42 E. 3.51 chains; S. 84-50 E. 1.83 chains; S. 54-54 E. 4.70 chains; S. 68-58 E. 2.20 chains; S. 78-20 E. 1.37 chains, the place of beginning, containing 66.14 acres."

That the said Annie Cagle and those under whom she claims, to-wit:

D. H. Clark,
W. H. Clark and others

have been in open notorious, continuous and adverse possession of said lands and premises for a period of thirty years or more, living there-upon, cultivating portions thereof, taking timber and firewood therefrom and making such other uses of said lands as they are susceptible of.

(Sgd) R. L. Hyatt

Affiant

Sworn to and subscribed before me this the 9th day of April, 1929.

(Sgd) Will W. Wiggins

Notary public

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

A-Purchase
Cagle, Annie
#165.

April 4, 1929.

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

Dear Mr. McKinney:

I am enclosing check for Mrs. Annie Cagle for
\$2,000.00 in payment of her land in the Park area.

Please draw a deed to her tract, and when it
is properly signed and you have satisfied yourself that
the 1928 taxes have been paid, the check may be turned
over to her.

Yours very truly,

Verne Rhoades,
Executive Secretary.

VR:S
Encl.

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N.C.

REPORT ON THE ANNIE CAGLE TRACT NO. 165.

Location of Tract: This tract lies on Tom Branch, a tributary of Deep Creek about two and one-half miles from its mouth. It adjoins the land of Hardy Clark and others and is accessable by public road.

Description of Tract: This tract is occupied by the owner and has been used as a home for many years. The land is rather steep but productive and well cared for, and it being near Bryson City is well located for a small farm home.

Improvements: A six room box house is fair condition, a six stall log barn and apple house in fair condition. Fencing good around the fields.

Valuation: This tract contains 66.14 acres and the values are arrived at as below:

Six room box house	\$600.00
Six stall barn	300.00
Apple house	50.00
Other buildings	40.00
Fruit trees	150.00
15 acres, cultivated hillside	300.00
10 acres pasture	150.00
15 acres old fields	150.00
26 acres woodland	260.00
	<u>\$2000.00</u>

The appraisers have agreed on a price of \$2000.00 which they recommend for your approval.

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

}

Amzie Cagle (Seal)

Lee Cagle (Seal)

(Seal)

(Seal)

STATE OF NORTH CAROLINA

Swain

COUNTY.

I, Walter W. Jenkins, a Notary Public,
do hereby certify that Lee Cagle
and Annie Cagle

his wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument; and the said Annie Cagle, 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 13 day of April, A.D. 1929

Walter W. Jenkins

Notary Public.

My commission expires

Jan 9th 1930