



WATER-RIGHT DOCKET

Cumberland Gap National Historical Park

Docket No: 4

W.P. BAUMGARDNER RESIDENCE

Land History

00-00-0000: land owner record ; , 1945

Form NPS-L-1

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

State Virginia Parcel No. I, II, III

County Lee Deed No. 1

Civil Subdivision Penn Hill Magisterial Area 48.03 acres private Cumberland Gap National Historical Park
District escrow Name of Park or Area

Area based on survey of Davis & Hoely Date 1945 Virginia
Section of Park or Area

Legal Description: PARCEL NO. I. Beginning at the precise location of the U. S. G. S. Triangulation Station Pinnacle (now destroyed), the position of said triangulation station in terms of the Tennessee Plane Coordinate System is: Y equals 813,965.38 X equals 2,685,135.93 runs thence with the crest of the Cumberland Mountains the same being the State line between Kentucky and Virginia- 88 courses as follows:

Station	Bearing	Y	X
Pinnacle	N 24-52 E	48.35	813,965.38
KV 3	N 70-16 E	823.10	813,999.54
KV 4	N 45-41 E	828.29	814,142.04

(continued on back of sheet)

Method of Acquisition: Donation Appropriation or Source of funds: _____

Estimated value: _____

Acquired from: Commonwealth of Virginia by deed dated December 1, 1955. Recorded in Deed Book 146, page 499

Accepted by Secretary (S) 9/14/55 Opinion of Atty. Gen.-title in U. S. (H) date: February 1, 1956

Physical Characteristics: The area is characterized by a steep escarpment with overhanging cliffs rising 900 to 2,000 ft. above the adjacent valley. The crest of the mountain throughout its extent is markedly level except where depressed by a number of wind gaps. The lowest elevation is approximately 1,200 ft., the highest about 3,500 ft. Approximately 98% of the area is forested.

Improvements on Land at time of Acquisition: _____

See sheets 15 and 16.

Existing or outstanding special use permits, reservations, rights, or rights of way: It is expressly understood that this conveyance is made subject to existing easements for roads, highways and public utilities and other rights affecting the lands hereinafter described, the said easements
(continued on page 11)

Report Based on: Field and related papers

Prepared by: L. Vincent (in part) date: October 1955

Map References: Davis & Hoely Lee County Property Sheets
in 38 sheets

Remarks: _____

Legal Description (contin)

Station	Bearing	Distance	Y	Position
NV 5	■ 73-35 ■	187.31	811,850.53	2,685,179.91
NV 6	■ 88-31 ■	845.82	811,856.61	2,685,750.86
NV 7	■ 48-47 ■	885.80	811,858.53	2,685,758.18
NV 8	■ 25-18 ■	171.60	811,848.38	2,685,968.76
NV 9	■ 19-45 ■	178.35	811,858.05	2,685,856.86
NV 10	■ 86-31 ■	147.00	811,868.04	2,685,856.18
NV 11	■ 67-36 ■	90.09	811,879.54	2,685,168.10
NV 12	■ 36-35 ■	138.71	813,855.37	2,685,845.58
NV 13	■ 45-18 ■	126.58	813,139.45	2,685,325.88
NV 14	■ 67-35 ■	81.70	813,835.35	2,685,158.66
NV 15	■ 60-06 ■	188.50	813,835.78	2,685,313.88
NV 16	■ 58-46 ■	305.11	813,817.09	2,685,619.64
NV 17	■ 39-19 ■	146.80	813,835.97	2,685,809.60
NV 18	■ 83-37 ■	81.66	813,832.18	2,685,914.89
NV 19	■ 47-09 ■	131.10	813,832.16	2,685,956.09
NV 20	■ 29-25 ■	155.66	813,788.63	2,687,038.80
NV 21	■ 45-18 ■	184.55	813,815.56	2,687,169.75
NV 22	■ 18-08 ■	231.80	813,877.16	2,687,864.39
NV 23	■ 71-39 ■	158.60	814,834.37	2,687,542.68
NV 24	■ 18-11 ■	358.31	814,836.53	2,687,155.81
NV 25	■ 35-45 ■	844.31	814,846.05	2,687,605.35
NV 26	■ 73-38 ■	888.65	814,855.61	2,687,748.90
NV 27	■ 88-38 ■	856.65	814,857.61	2,687,887.36
NV 28	■ 78-39 ■	988.97	814,858.09	2,688,163.54
NV 29	■ 47-12 ■	178.85	814,759.67	2,688,168.86
NV 30	■ 48-31 ■	186.97	814,815.68	2,688,355.15
NV 31	■ 29-25 ■	228.58	817,851.66	2,688,721.09
NV 32	■ 27-18 ■	189.78	817,817.11	2,688,848.29
NV 33	■ 46-34 ■	154.85	817,166.11	2,688,950.97
NV 34	■ 81-16 ■	158.88	817,619.62	2,689,092.89
NV 35	■ 13-25 ■	155.38	817,755.78	2,689,147.78
NV 36	■ 36-08 ■	314.58	817,846.17	2,689,189.12
NV 37	■ 67-08 ■	189.78	818,167.95	2,689,378.16
NV 38	■ 84-04 ■	318.36	818,177.86	2,689,571.95
NV 39	■ 1-07 ■	329.98	818,185.67	2,689,887.81
NV 40	■ 48-13 ■	173.88	818,188.11	2,689,948.61
NV 41	■ 24-09 ■	259.88	818,618.86	2,689,883.18
NV 42	■ 1-26 ■	285.17	818,867.97	2,689,131.84
NV 43	■ 6-05 ■	348.13	819,148.17	2,689,112.67
NV 44	■ 13-07 ■	185.75	819,148.68	2,689,858.68
NV 45	■ 1-28 ■	214.85	819,459.67	2,689,116.74
NV 46	■ 4-18 ■	355.88	819,875.04	2,689,189.18
NV 47	■ 35-15 ■	388.31	819,887.85	2,689,198.15
NV 48	■ 66-16 ■	219.05	819,132.52	2,689,148.88
NV 49	■ 74-10 ■	286.56	819,983.04	2,689,664.13
NV 50	■ 51-11 ■	143.82	819,116.18	2,689,884.58
NV 51	■ 1-37 ■	258.88	819,317.19	2,689,958.55
NV 52	■ 66-01 ■	418.86	819,787.94	2,689,981.85
NV 53	■ 88-17 ■	184.74	819,958.66	2,691,545.78
NV 54	■ 48-09 ■	248.85	819,982.87	2,691,167.32
NV 55	■ 78-16 ■	145.18	819,751.86	2,691,688.51
NV 56	■ 44-38 ■	245.75	819,894.18	2,691,863.66
NV 57	■ 73-35 ■	255.85	819,858.28	2,692,105.57
NV 58	■ 69-49 ■	811.87	819,897.88	2,692,388.98

Cumberland Gap Deed No. 1

Legal Description (contir 1):

Station	Bearing	Distance	Y	Position
KV 58	S 68-46 E	116.47	821,086.66	2,692,574.30
KV 59	S 73-22 E	228.22	820,984.44	2,692,662.85
KV 60	S 62-57 E	171.16	820,919.04	2,692,881.30
KV 61	S 89-17 E	402.68	820,841.15	2,693,033.92
KV 62	S 59-07 E	263.12	820,893.99	2,693,436.94
KV 63	S 48-16 E	473.92	820,700.85	2,693,662.33
KV 64	N 68-36 E	203.10	820,383.90	2,694,017.45
KV 65	N 79-59 E	633.48	820,437.36	2,694,208.82
KV 66	N 66-14 E	331.40	820,371.37	2,694,834.26
KV 67	N 56-05 E	308.13	820,704.33	2,693,137.95
KV 68	N 77-18 E	430.60	820,816.87	2,693,413.27
KV 69	N 57-28 E	303.67	820,971.34	2,693,833.33
KV 70	N 82-55 E	137.28	821,242.41	2,694,237.96
KV 71	S 74-44 E	332.04	821,239.33	2,694,334.19
KV 72	N 43-48 E	334.47	821,166.63	2,694,733.81
KV 73	N 79-29 E	373.18	821,441.64	2,697,016.61
KV 74	N 67-36 E	341.33	821,309.75	2,697,383.32
KV 75	N 59-23 E	213.78	821,638.07	2,697,700.05
KV 76	N 53-06 E	168.31	821,824.85	2,697,836.96
KV 77	N 48-13 E	331.46	821,906.03	2,697,971.71
KV 78	N 72-23 E	276.13	822,131.31	2,698,194.43
KV 79	N 60-20 E	211.72	822,233.68	2,698,437.61
KV 80	N 43-11 E	423.78	822,139.87	2,698,641.98
KV 81	N 24-14 E	315.29	822,634.97	2,698,942.20
KV 82	N 4-09 E	273.38	822,226.06	2,699,071.61
KV 83	N 30-02 E	463.18	823,198.94	2,699,091.41
KV 84	N 20-57 E	244.23	823,601.63	2,699,324.23
KV 85	N 77-25 E	223.28	823,229.75	2,699,411.38
KV 86	N 16-03 E	331.17	823,287.10	2,699,668.34
KV 87	N 20-50 E	697.26	824,416.67	2,699,820.22
KV 88	N 63-19 E	1470.76	823,028.28	2,700,068.67
KV 89	N 66-39 E	463.62	823,622.34	2,701,404.78
KV 90	N 71-38 E	744.66	823,226.87	2,701,832.23
KV 91	N 75-09 E	471.49	825,121.40	2,702,338.82
KV 92	N 20-59 E	131.16	823,280.92	2,702,394.47
KV 93	N 81-32 E	333.80	823,039.37	2,703,048.37
KV 94	N 62-34 E	226.78	823,289.68	2,703,400.72
KV 95	N 63-51 E	668.21	823,034.14	2,703,601.96
KV 96	N 61-45 E	723.45	825,287.71	2,704,212.12
KV 97	N 52-04 E	229.67	825,622.84	2,704,873.04
KV 98	N 61-02 E	327.21	825,977.09	2,705,332.99
KV 99	N 89-03 E	600.14	827,232.37	2,705,734.13
KV 100	N 62-32 E	343.80	827,241.92	2,706,334.10
KV 101	N 62-02 E	236.64	827,421.38	2,706,708.86
KV 101a	N 81-39 E	178.11	827,221.68	2,706,927.33
KV 102	N 43-53 E	300.00	827,493.83	2,707,123.73
KV 103	N 69-44 E	629.92	827,704.76	2,707,319.13
KV 104	N 84-40 E	1226.68	827,226.01	2,707,830.92
KV 105	N 71-14 E	1424.40	827,731.35	2,709,228.39
KV 106	N 32-18 E	722.09	828,129.34	2,711,217.90
KV 107	N 87-48 E	1627.74	828,721.22	2,711,391.34
KV 108	N 50-44 E	477.39	828,222.28	2,712,678.88
KV 109	N 60-53 E	444.75	829,123.18	2,713,048.41
KV 110	N 36-51 E	413.79	829,341.68	2,713,436.97
KV 111	N 72-16 E	343.24	829,274.24	2,713,623.13
KV 112	N 47-00 E	733.10	829,779.37	2,714,018.37

Description (continued)

Station	Bearing	Distance	Y	X
KV 113	N 29-45 E	1250.00	890,293.32	2,714,963.15
KV 114	N 70-21 E	1320.22	891,378.77	2,713,183.42
KV 115	N 35-28 E	325.97	891,644.99	2,716,476.48
KV 116	N 75-31 E	401.60	891,310.21	2,716,665.99
KV 117	S 68-20 E	224.14	892,210.73	2,717,074.23
KV 118	N 55-59 E	433.77	892,002.92	2,717,358.25
KV 119	N 64-42 E	429.99	892,245.26	2,717,697.79
KV 120	S 75-28 E	429.05	892,417.98	2,718,065.05
KV 121	N 77-58 E	1321.48	892,295.35	2,718,336.45
KV 122	N 34-32 E	417.11	892,571.08	2,719,828.98
KV 123	S 88-22 E	346.87	892,213.39	2,720,067.43
KV 124	N 55-59 E	310.25	892,505.51	2,720,416.16
KV 125	N 75-30 E	210.08	893,125.89	2,720,701.35
KV 126	N 58-22 E	342.24	893,129.22	2,720,925.12
KV 127	N 19-04 E	220.05	893,620.20	2,721,321.22
KV 128	N 71-56 E	879.18	893,620.22	2,721,453.70
KV 129	N 30-44 E	1232.47	894,161.05	2,722,229.54
KV 130	S 74-14 E	275.87	893,222.64	2,722,319.48
KV 131	N 65-25 E	461.27	893,145.95	2,723,124.20
KV 132	N 25-51 E	1497.21	893,338.18	2,723,629.35
KV 133	S 68-47 E	312.07	894,026.21	2,724,256.62
KV 134	N 44-42 E	323.08	894,675.44	2,724,768.97
KV 135	S 70-45 E	372.74	894,247.20	2,725,038.02
KV 136	N 65-24 E	223.75	894,224.98	2,725,329.92
KV 137	N 76-51 E	1099.25	894,945.12	2,725,625.75
KV 138	N 65-01 E	1221.24	897,125.39	2,726,626.13
KV 139	N 64-52 E	956.90	897,275.97	2,727,642.38
KV 140	S 79-14 E	421.70	897,724.23	2,728,197.13
KV 141	N 60-16 E	399.22	897,224.45	2,728,670.35
KV 142	N 50-00 E	622.22	897,990.10	2,729,127.46
KV 143	S 70-22 E	369.40	898,317.57	2,729,649.51
KV 144	S 84-19 E	224.60	898,122.35	2,730,129.61
KV 145	N 85-45 E	222.30	898,222.97	2,730,727.35
KV 146	N 54-41 E	371.64	898,122.69	2,731,621.24
KV 147	N 79-25 E	222.79	898,347.40	2,731,924.49
KV 148	N 86-00 E	371.26	898,329.24	2,732,770.55
KV 149	N 57-44 E	255.23	898,351.25	2,733,141.22
KV 150	N 80-49 E	472.89	898,427.13	2,733,355.45
KV 151	S 80-49 E	421.24	898,722.28	2,733,822.26
KV 152	S 85-08 E	429.62	898,422.27	2,734,307.29
KV 153	N 70-52 E	252.90	898,425.30	2,734,750.05
KV 154	S 32-56 E	225.60	898,421.27	2,735,054.65

Same being the Southwest corner of the Kentucky addition
to the Cumberland Gap National Historical Park

KV 154-A	N 32-56 E	425.22	898,129.79	2,735,204.57
KV 155	S 72-14 E	1222.30	897,631.39	2,737,222.27
KV 156	S 65-27 E	225.22	897,631.39	2,737,222.27
KV 157	S 79-22 E	222.51	897,631.39	2,737,222.27
KV 158	S 85-55 E	1221.22	897,631.39	2,739,615.27
KV 159	S 82-01 E	1227.14	897,631.39	2,740,973.26
KV 160	N 85-44 E	222.22	898,222.22	2,742,729.50

(KV 161) Same being a point at the vertical projection of
the vertical axis of the weather vane atop the White
Rock Fire Observation tower.

Legal Description (continued)

Station	Bearing	Distance	Y	Position X
KV 161 (KV 162)	S 84-54 E Same being the U.S.G.S. triangulation station "White Rock".	155.06	857,158.36	2,747,505.67
KV 162	N 85-45 E	1068.89	857,144.63	2,747,440.12
KV 163	N 63-06 E	1546.06	857,809.23	2,748,327.29
KV 164	S 75-58 E	2020.04	857,904.93	2,749,595.96
KV 165	N 74-44 E	1402.60	857,417.87	2,751,875.95
KV 166 (KV 167)	N 79-35 E Same being the Northeast corner of the Virginia portion, and the Southwest corner of the Kentucky portion of the Cumberland Gap National Historical Park.	2147.77	857,786.76	2,753,809.01
KV 167	S 8-38 E Same being a set stone, an interior corner of the Thomas Gibson tract.	2586.76	858,175.05	2,755,321.39
SV 1	S 36-39 W	1598.77	853,551.76	2,755,495.30
To a set stone, corner of Gibson Harman and Elsie Harman.				
SV 2	S 57-07 W	968.76	854,822.67	2,754,886.94
To a set stone, corner of Elsie Harman and Henry Smith.				
SV 3	N 70-14 W	1044.26	854,899.95	2,755,478.44
SV 4	S 4-35 E	890.35	855,946.80	2,752,495.71
SV 5	S 61-40 W	529.25	855,099.30	2,752,566.91
To a set stone, corner of Henry Smith and Harrison Martin.				
SV 6	S 52-32 W	547.75	854,810.68	2,752,104.97
SV 7	N 30-27 W	972.43	854,476.23	2,751,669.83
SV 8	S 73-45 W	390.03	855,466.14	2,750,980.13
SV 9	S 36-37 W	222.76	855,400.09	2,750,542.11
SV 10	N 84-30 W	307.13	852,822.07	2,750,408.21
SV 11	S 50-04 W	1254.20	852,849.71	2,750,102.32
SV 12	N 79-02 W	5574.63	852,128.13	2,749,075.62
SV 13	N 69-02 W	1104.10	853,821.42	2,745,554.61
SV 14	N 82-06 W	812.28	853,716.28	2,744,567.78
SV 15	S 30-32 W	568.20	853,829.84	2,741,762.97
SV 16	S 63-05 W	546.43	853,465.39	2,741,328.56
SV 17	N 68-09 W	142.22	853,384.22	2,741,018.99
SV 18	N 47-05 W	841.18	853,390.25	2,740,895.32
SV 19	N 73-45 W	504.05	853,395.68	2,740,716.70
SV 20	N 57-57 W	140.22	853,435.03	2,740,422.67
SV 21	N 73-46 W	492.91	853,739.43	2,740,265.21
SV 22	S 78-08 W	744.34	853,789.36	2,739,894.01
SV 23	N 77-03 W	1198.26	853,640.56	2,739,128.95
SV 24	S 88-19 W	786.43	853,539.16	2,737,560.19
SV 25	S 87-39 W	2318.20	853,526.67	2,737,175.90
SV 26	S 63-41 W	1144.26	853,791.84	2,734,897.04
SV 27	N 41-25 W	1472.24	853,380.26	2,733,814.17
SV 28	S 77-02 W	1555.38	854,424.67	2,732,840.98
SV 29	S 72-06 W	455.01	854,466.94	2,731,548.76
SV 30	S 20-38 E	897.22	855,592.08	2,730,510.00
SV 31	S 71-46 W	788.42	855,722.92	2,730,995.09
SV 32	N 61-10 W	1020.41	855,422.02	2,730,505.23
SV 33	S 76-17 W	1422.28	855,451.11	2,729,306.21
SV 34	S 76-13 W	1049.71	855,504.54	2,727,826.19
SV 35	S 68-21 W	1588.20	855,054.47	2,726,826.76
SV 36	S 72-15 W	1223.22	855,350.25	2,725,042.67
SV 37	S 61-10 W	1102.77	851,544.26	2,723,839.24

Legal Description (continued):

Station	Bearing	Distance	Y	X
NV 38	S 72-31 W	114.90	831,775.02	2,722,749.93
NV 39	S 19-42 E	817.98	831,741.25	2,722,640.12
NV 40	S 51-34 W	4875.11	831,335.08	2,722,566.64
NV 41	S 70-44 W	142.16	828,328.19	2,718,730.10
NV 42	S 68-42 W	1839.07	828,481.24	2,718,333.99
NV 43	N 6-37 E	244.30	827,748.46	2,716,843.27
NV 44	S 68-37 W	225.13	828,041.12	2,716,817.14
NV 45	S 68-28 W	544.37	827,965.95	2,716,645.29
NV 46	S 63-22 W	1872.32	825,971.93	2,711,369.88
NV 47	S 71-16 W	1385.25	825,132.26	2,709,895.10
NV 48	S 39-26 E	1176.77	826,624.40	2,708,395.72
NV 49	S 49-36 E	2745.91	825,715.51	2,709,144.19
(NV 50)	Same being an iron pipe, an agent member of American Association, Gibson and Fugate.			
NV 50	S 49-36 W	2528.45	821,348.02	2,707,042.75
NV 51	N 38-32W	337.43	820,077.37	2,704,815.32
NV 52	N 77-41 W	825.21	820,378.88	2,704,623.99
NV 53	S 68-19 W	1222.07	820,430.76	2,704,388.38
NV 54	S 56-34 W	940.30	820,020.22	2,703,495.47
NV 55	S 58-23 W	1221.00	819,342.09	2,702,671.39
NV 56	S 64-12 W	1425.92	818,549.03	2,701,343.95
	To a corner between the Colach heirs and the Humphrey tract.			
NV 57	N 87-44 W	2035.11	818,228.45	2,700,252.13
NV 58	E 51-51 W	2321.00	818,303.01	2,698,328.34
	To a stake, same being an interior corner of George Denny tract, and a Northeast corner of the Colach heirs land.			
NV 59	S 14-55 E	2225.08	818,319.16	2,696,035.08
	to a stake at the Southeast corner of the George Denny tract.			
NV 60	S 7-42 E	328.24	818,313.46	2,696,642.95
NV 61	S 17-36 E	1721.70	817,828.68	2,695,703.43
	to a stake in the North right of way margin of Highway No. 30.			
	200 feet East of Station Creek.			
NV 62	N 89-42 W	545.48	818,122.73	2,697,247.03
	to a stake in the North margin of Highway No. 30			
NV 62A	S 0-18 W	139.20	818,110.73	2,696,990.36
	to a point 170.00 feet South of the North right of way margin of Highway No. 30			
NV 62B	S 68-33 W	727.24	811,332.73	2,696,397.21
	Facing the North margin of the Country lot, to a stake in the West boundary of Wesley Madison and the East boundary of the Ramsey-Brown tract.			
NV 62C	N 5-22 W	124.30	811,334.42	2,695,876.40
	To a stake in the North margin of the right of way line of Highway No. 30.			
NV 63	N 89-42 W	395.21	812,124.70	2,695,844.24
NV 64	N 81-26 W	377.28	812,111.99	2,695,821.23
NV 65	N 61-22 W	328.30	812,167.21	2,695,877.78
NV 66	N 57-31 W	307.11	812,325.49	2,694,522.13
	to a stake in the North margin of the right of way of Highway No. 30 at the Southwest corner of the Ramsey tract.			
NV 67	N 22-48 W	638.21	812,515.31	2,694,126.76
NV 68	N 38-48 W	419.43	813,333.32	2,693,872.13
NV 69	N 53-39 W	329.01	813,879.41	2,693,611.68
(NV 70)	Being a stake in the North margin of the right of way of Highway No. 30 at the corner corner of the Ramsey and Bessing tracts.			
NV 70	N 68-36 W	222.42	813,822.45	2,693,310.70

Continued on Page 1 of 1

Legal Description (continued):

Station	Bearing	Distance	X	Y
(SV 71)	The same being a stake in the North margin of the right of way of Highway No. 58 at a common corner of the Ramsey and Fears tracts.			
SV 71	N 77-46 W	195.77	813,988.41	2,693,103.88
(SV 72)	The same being a stake in the North margin of the right of way of Highway No. 58 at a common corner of the Fears and C. A. Brooks tracts.			
SV 72	N 88-32 W	305.80	814,009.45	2,692,513.65
SV 73	S 84-45 W	254.78	814,009.77	2,692,607.94
(SV 74)	The same being a stake in the North margin of the right of way at a common corner of the Brooks & Spauls tracts.			
SV 74	S 84-39 W	429.69	813,986.54	2,692,354.23
SV 75	N 88-46 W	293.97	813,986.31	2,692,986.41
(SV 76)	The same being a point in the North margin of the right of way of Highway No. 58.			
SV 76	S 4-35 W	88.60	813,992.77	2,692,638.91
(SV 77)	The same being a stake in the North margin of the right of way of Highway No. 19 at the Northeast corner of the William Russell Tract.			
SV 77	S 1-48 W	550.97	813,878.49	2,691,606.47
SV 78	S 80-38 W	905.85	812,941.45	2,691,608.12
SV 79	S 76-27 W	171.15	812,754.25	2,690,714.85
SV 80	S 82-38 W	196.98	812,754.15	2,690,707.89
SV 81	S 82-24 W	181.54	812,731.77	2,690,471.85
SV 82	S 19-39 W	373.32	812,568.21	2,690,291.40
SV 83	S 77-29 W	169.84	812,187.77	2,690,145.79
SV 84	S 44-18 W	149.97	812,188.96	2,689,997.99
(SV 85)	The same being a Virginia-Tennessee State Line monument on top the Four Valley Ridge.			
SV 85	S 89-57 W	3987.68	812,053.65	2,689,895.84
(SV 86)	The same being a Virginia-Tennessee State Line monument.			
SV 86	S 89-57 W	4004.69	812,075.27	2,686,505.69
to the point of beginning, the same being the common corner of the States of Kentucky, Tennessee, and Virginia.				
Containing 7,474,775 acres, be the same more or less.				
Bearings herein based upon the meridian of the Tennessee Plane Coordinate System.				

Tract No.	Conveyed by	Date of Deed	Recorded in	Page
1-3-11-45	American Association, Inc.	6-3-49	155	321
9-A	Swank & Ross Tractor	6-23-49	155	320
11-A	S. H. Hall and wife	6-23-49	155	320
12	Lincoln Memorial University	6-3-47	155	311
12-A	Lincoln Memorial University			
	Cady's Cove	6-4-49	155	320
12-B	Verley Tractor	11-9-49	155	319
14	C. C. Fournil and wife	7-23-49	155	318
15	Howard J. Douglas (less)	6-18-49	155	39
16	Gracie and Shelby Hall	6-18-49	155	392

Legal Description (continues)

Treat No.	Conveyed by	Date of Deed	Recorded in	Page
			P. 2.	
17	W. M. Phelps and wife	12-13-37	137	289
18	W. M. Russell	6-19-39	135	215
19	Malinda Owens	4-7-39	136	169
20	C. T. Hesterson et al	3-27-39	135	225
20	Cora Thomas King, int. of	3-13-39	135	227
21	Joan Simpson and wife	3-28-39	136	275
23	Olin L. Gibson and wife	3-14-39	135	192
24	G. A. Wilson and wife	3-20-39	135	196
25	Maudie E. Stone	3-11-39	135	196
26	Howard J. Douglass & wife (Langford)	12-22-39	135	124
27	Harvey Edgington and wife	8-27-39	134	30
28	Larry Miller & husband	3-7-39	132	249
29	Between Gasky	2-2-39	132	174
30	Richard Sprules	3-27-39	135	225
31	Max Brooks and husband	3-18-39	132	226
32	Gallie Brooks	11-3-39	134	466
33 & 34	Fred Paul and wife	4-9-39	132	277
35	Theo. Eagle and wife	7-22-39	135	184
36	Spurgeon Ramsey and wife	12-22-39	131	419
37	Maudie Ramsey	11-3-39	134	465
38	W. M. Russell	7-5-39	135	411
39-c	(Part) S. R. Ramsey	1-22-39	132	249
41	Neal Daniels	3-22-39	136	254
43	W. E. Evans and wife	3-11-39	132	278
44 & 50	Annie S. Smith et al	7-8-37	126	89
47	John Henry Ayers	7-7-37	125	221
44 & 48	Margaret E. Robertson	4-13-37	123	269
49	Mary Ely Allen et al	7-8-39	130	22
63	R. J. Fairbourn and wife	3-22-39	135	187
62	Adeline Holin et al, int. of	12-22-39	135	112
62	Sam Richmond and wife, int. of	12-13-39	135	121
62	Mary Neal Sutton et al, int	12-14-39	135	117
62	Bettie Holin et al, int. of	12-15-39	135	113
64	Vincent Baker et al, int. of	7-9-39	135	272
66	Joseph Hall et al, int. of	11-29-39	135	111
66	Elizabeth Sipple, int. of	11-29-39	135	146
66	H. C. Brown, int. of	11-29-39	135	147
68	Charles Campbell et al	7-22-39	135	497
69	E. L. Johnson et al, int. of	9-22-39	134	272
69	Marguerite J. Middleton et al			
	Interest of	4-4-39	136	97
69	E. J. Douglass and wife,			
	Interest of	4-4-39	136	96
76	Ruth S. Knight et al, int. of	9-9-39	134	195
76	Irene E. Savers et al, int. of	9-9-39	134	197
76	Ollie Hamilton et al, int. of	8-30-39	134	198
76	J. B. Hamilton, int. of	8-25-39	134	201
76	Corrie Hamilton, int. of	8-7-39	134	222
77	Rechie Kincaid	8-12-39	134	29
79	W. R. Ayers and wife	6-15-39	135	323
80	Rechie Kincaid	8-12-39	134	30
82	Maudie S. Smith et al	9-22-39	134	271
83	Walter Dwyer et al	12-7-39	135	221
84	Gibson Hansen et al	12-22-39	135	113
89	T. S. Gibson	12-7-39	134	322

Legal Description (cont. 144):

**Tracts of Land Acquired by Condemnation
Commonwealth of VIRGINIA, SEC. vs. JAMES O. THOMAS, ET AL**

<u>Tract No.</u>	<u>Name</u>	<u>Date of Judgment</u>	<u>Recorded in D-2.</u>	<u>Page</u>
61	Thomas Tract	12-20-49	195	190
61-A	Thomas Tract	12-20-49	195	190
62	Hollin Tract	12-20-49	195	190
63	Kinsonid Tract	12-20-49	195	190
66	Harcum Tract	12-20-49	195	190
67	Morgan-Thomas Tract	12-20-49	195	190

COMMONWEALTH OF VIRGINIA, SEC. vs. MALINDA B. GIBBS, ET AL

19	Russell-Owens Tract	6-30-50	197	184
51	Bailey Tract	10-3-51	141	105
52	Cupp-Lee Tract	6-30-50	197	184
53	Bailey Tract	3-6-51	199	191
		10-3-51	140	179
54	Bailey Tract	3-6-51	199	192
		10-3-51	140	185
55	Bailey Tract	3-6-51	199	193
		10-3-51	140	186
56	Bailey Tract	10-3-51	141	184
57	Bailey Tract	3-6-51	199	193
		10-3-51	140	197
58	Bailey Tract	3-6-51	199	194
		10-3-51	140	198
71	Seale-Thomas Tract			
72	Sealand Tract			
73	Hetron Tract	6-30-50	197	184
75	Wilder Tract	6-30-50	197	184
76	Fulton-Hamilton Tract	3-6-51	199	195
78	Hughlin Tract	6-30-50	197	184
81	Martin Tract	6-30-50	197	184

COMMONWEALTH OF VIRGINIA, SEC. vs. GEORGE G. GORDON, ET AL

2	Goforth Tract	3-27-50	196	390
3	Johnson Lumber Co. Tract	6-3-50	197	413
6	Baumgardner Tract	3-27-50	196	390
7	Portner Tract	6-3-50	197	409
8	Furry Tract	3-27-50	196	390
9	American Legion Tract	3-27-50	196	390
12-0	Russell Tract	3-27-50	196	390
12-0	Baine-Cottrell Tract	3-27-50	196	390
12-2	Fierman Tract	3-27-50	196	390
12-7	Haskins (Smilee) Tract	3-27-50	196	390
12-0	Winton & Chadwell Tract	3-27-50	196	390
13 & 22	Baker Tracts	12-4-50	198	383
20-1	Lyce-Dean Tract	12-8-50	198	365
32-1	Bailey-Henaley Tract	3-27-50	196	390
32-3	Bailey-Henaley Tract	3-27-50	196	390

COMMONWEALTH OF VIRGINIA, SEC. vs. D. L. O'BELL, ET AL

10	O'Bell Tract			
12-2	M. E. Church South Tract	6-30-50	197	188
39	Colson Tract	3-6-51	199	197
39-A	Colson Tract	3-6-51	199	199

Legal Description (continued)

Tract No.	Name	Date of Judgment	Recorded in D.R.	Page
39-B	Colson Trust	3-4-31	139	340
40	Colson Trust	3-4-31	139	341
41	Denny Trust	6-30-30	137	408
42	Colson Trust	3-4-31	139	342
42-A	Colson Trust	3-4-31	139	343
42-B	Colson Trust	3-4-31	139	344
42-C	Colson Trust	3-4-31	139	345
42-D	Carr Trust	3-4-31	139	346
42-E	Colson Trust	3-4-31	139	347
49	Ross Trust	3-4-31	139	348
60	Ross Trust	3-4-31	139	349
70	Ross Trust	3-4-31	139	351
74	Eldridge Trust	6-30-30	137	409

PARCEL NO. II

Beginning on a stake in the South margin of the right of way of Highway 30 at the Northeast corner of the Brooks-Henney Easement, the position of said corner in terms of the Tennessee Plane Coordinate System is: Y equals 612,034.40 X equals 2,655,631.75 runs thence with the South margin of the said highway right of way South 85° 42' East 745.43 feet to a stake; thence South 0° 10' West 170.00 feet to a stake; thence South 80° 35' West 787.04 feet to a stake in the East boundary of the Brooks-Henney easement; thence North 5° 20' West 200.07 feet to the point of beginning. Containing 3.204 acres, more or less. Bearings herein based on the meridian of the Tennessee Plane Coordinate System.

The above described property is that same property, a part of which was conveyed to the Commonwealth of Virginia by S. Edgar Henney and wife, Nellie Henney by deed dated the 20th day of January 1931, and recorded in the office of the Clerk of Lee County, Virginia, in Book 200 at page 282, and a part of which was acquired by the Commonwealth of Virginia by condemnation in the Proceedings entitled Commonwealth of Virginia vs. Melinda E. Guss et al, by judgment dated the sixth day of March 1951, and recorded in the above mentioned clerk's office in Book 200 at page 350.

PARCEL NO. III

A scenic Easement on the following described tract of land, which scenic easement confers the right to control the use and development of said land in such manner as will not interfere with the scenic and other Park values to be preserved through the establishment of the Cumberland Gap National Historical Park, and does hereby grant the following rights, and subjects the said land to the following restrictions and burdens which are to run with the land and be binding upon the present owners, their successors and assigns and legal representatives forever:

(a) No buildings, pole lines or structures shall be erected on such land other than for farm or residential purposes. No new buildings shall be erected, nor shall major alterations to existing buildings be made without first obtaining the written approval of the Director, Virginia Conservation Commission pending establishment of the Park, or the Director, National Park Service, following establishment of the Park. No commercial building, power lines or other industrial or commercial structures shall be erected on such land.

(b) No mature or stable trees or shrubs shall be removed or destroyed on such land without the consent first had and obtained in writing of the respective official named in the preceding paragraph. Provided, however, that seedling trees or seedling shrubbery may be grubbed up or cut down in accordance with good farm

Legal Description (continued):

practice or residential maintenance, and cultivated crops, including orchard fruit, may be pruned, sprayed, harvested, and otherwise maintained in accordance with good farm practice.

(c) No dump of ashes, trash, sawdust, or any unsightly or offensive material shall be placed upon such land.

(d) No sign, billboard, or advertisement shall be displayed or placed upon such land, except one sign not greater than 18 inches by 24 inches advertising the sale of the property or the products raised upon it.

The said tract of land, upon which a scenic easement is hereby conveyed, lies in the Rose Hill Magisterial District of Lee County, Virginia and is more particularly described as follows: Beginning at a point in the South margin of the right of way of Highway No. 38, the same being Station 27 77 of the Park boundary, runs thence with same South 1° 08' West 400.00 feet to a stake; thence parallel to and approximately 400.00 feet from the South margin of the right of way of Highway No. 38 nine courses as follows: South 80° 22' East 299.35 feet to a stake; thence North 84° 30' East 676.75 feet to a stake; thence South 81° 27' East 471.25 feet to a stake; thence South 77° 40' East 220.45 feet to a stake; thence South 38° 49' East 228.75 feet to a stake; thence South 25° 26' East 730.92 feet to a stake; thence South 39° 32' East 600.62 feet to a stake; thence South 62° 19' East 422.71 feet to a point in the Virginia-Tennessee State Line; thence with same South 66° 19' East 1942.27 feet to a point, the South-East corner of Tract No. 4-2; thence North 0° 18' East 231.20 feet to Station 27 62 B in the Park boundary; thence South 60° 33' West 727.04 feet to a stake; thence North 5° 20' West 220.67 feet to a stake in the South margin of the right of way of Highway No. 38; thence with same twelve courses as follows: North 89° 42' West 626.68 feet to a stake; thence North 82° 14' West 348.62 feet to a stake; thence North 68° 12' West 80.78 feet to a stake; thence North 60° 19' West 622.13 feet to a stake; thence North 38° 26' West 151.13 feet to a stake; thence North 39° 32' West 477.27 feet to a stake; thence North 25° 44' West 733.66 feet to a stake; thence North 38° 34' West 309.44 feet to a stake; thence North 61° 32' West 417.11 feet to a stake; thence North 79° 00' West 393.21 feet to a stake; thence South 54° 41' West 622.33 feet to a stake; thence North 60° 30' West 300.18 feet to the point of beginning. Containing 48.305 acres. Bearings herein based on the meridian of the Tennessee Plane Coordinate System.

The above described property is that same property upon which the Commonwealth of Virginia acquired a scenic easement by Condemnation Proceedings entitled Commonwealth of Virginia vs. B. L. O'Dell et al. by judgments dated the sixth day of March 1931, and recorded in the office of the Clerk of Lee County in Book 139 at pages 352 to 357 inclusive and designated as Tract Nos. 1-2, 2-2, 3-2 and 4-2.

Existing or outstanding special use permits, reservations, rights, or rights of way (continued)

and rights being identified as follows:

1. The Lease Agreement, dated the 1st day of January 1938, and recorded in the office of the Clerk of Lee County, Virginia in Book 146 at page 394, by which W. F. Baumgardner and Donna Baumgardner, his wife, have the use and occupancy of the below described property during their natural lives, or either of them, said property being described as follows: Beginning at a point in the Virginia and Tennessee State line, the position of said point in terms of the Tennessee Plane Coordinate System is: Y equals 612,007.15 X equals 2,628,224.70 runs thence North 72° 05' West 67.62 feet to a stake; thence North 34° 32' East 167.36 feet to a corner of the Roscoe Fortner tract; thence with the Fortner tract 2 courses as follows: South 82° 15' East 65 feet to a stake; thence South 19° 09' West 173.40 feet to the beginning. Containing 0.238 acres. Bearings herein based on the meridian of the Tennessee Plane Coordinate System.

Existing or outstanding special use permits, reservations, rights, or rights of way
(continued):

Being the same land conveyed to the Commonwealth of Virginia by judgment entered in the Circuit Court of Lee County, Virginia, on the 27th day of March 1930 and recorded in the office of the Clerk of Lee County, Virginia in Deed Book 136 at page 390.

2. The right of Mary (maile) W. Rose, Willis T. Rose, and Barthania Rose, to mine and remove coal from the following described tract of land until December 31, 1936, to cut mine props from said tract to be used in the mining operations thereon only and an additional period of six months, or until June 30, 1937, to remove the mining equipment and structure from the tract.

The said tract of land is located on the South side of Cumberland Mountain in the Rose Hill Magisterial District, Lee County, Virginia and is more particularly described as follows: Beginning on Station NV 35 of the Park boundary, the same being the South-east corner of the John Bailey tract, the position of said corner in terms of the Tennessee Plane Coordinate System is: Y equals 833,651.11 X equals 2,729,306.81 runs thence North 9° 03' W 4033.85 feet to Station NV 141 of the Park boundary, the same being a point on top of the Cumberland Mountain at the Northwest corner of the T. J. Gupp tract; thence with the Park boundary which is also the Kentucky-Virginia State line four courses as follows: North 60° 16' East 995.32 feet to a stake; thence North 30° 00' East 305.00 feet to a stake; thence North 30° 00' East 97.62 feet to Station NV 143 of the Park boundary; thence South 70° 22' East 90.00 feet to the Northwest corner of the Hulin tract; thence with the West boundary of same South 22° 38' East 3086.64 feet to an interior corner of the J. G. Shuman tract; thence with the boundary of same four courses as follows: South 67° 31' West 665.24 feet to a stake; thence South 21° 14' East 1057.06 feet to a stake; thence North 67° 41' East 666.35 feet to a stake; thence South 22° 38' East 425.00 feet to Station NV 29 of the Park boundary, the same being the Southwest corner of the Morgan tract; thence with the Park boundary three courses as follows: South 72° 26' West 553.91 feet to a stake; thence South 22° 38' East 237.42 feet to a stake; thence South 71° 16' West 728.42 feet to a stake; thence North 21° 10' West 1010.41 feet to the point of beginning. Containing 175.011 acres. Bearings based on the meridian of the Tennessee Plane Coordinate System.

The above described property is the same property which was acquired by the Commonwealth of Virginia by judgments of the Circuit Court of Lee County, Virginia, entered on the sixth day of March, 1931, and recorded in the office of the Clerk of Lee County, in Deed Book 139, at pages 346 and 349.

3. The right of Mack Bailey, J. E. Bailey, Mack Bailey, B. L. Bailey, and the widow and heirs of J. S. Bailey, to prospect for and mine and remove any minerals of commercial value from the below described tract of land, and to cut and use timber from said tract of land for mine props in the mining operation on said land and for general farm purposes on said land, all of which rights and privileges shall cease and terminate on January 1, 1937 unless otherwise determined by the National Park Service.

The said land is located on the South side of Cumberland Mountain in the Rose Hill Magisterial District of Lee County, Virginia, and is more particularly described as follows: Beginning on Station NV 35 of the Park boundary, the same being the Southwest corner of the Haines tract, the position of said corner in terms of the Tennessee Plane Coordinate System is: Y equals 833,674.47 X equals 2,726,446.70 runs thence North 8° 22' West 4142.44 feet to a stake on top of the Cumberland Mountain at the Northwest corner of the Haines tract, the same being Station NV 138 of the Park boundary; thence with the same which is also the Kentucky-Virginia State line North 65° 01' East 960.13 feet to the Northwest corner of the T. J. Gupp tract; thence with the West boundary of the T. J. Gupp tract South 4° 25' East 335 feet to a stake; thence South 73° 35' East 924.65 feet to a stake; thence North 65° 28' East 551.13 feet to a stake in the West line of Tract No. 99; thence South 9° 03' East 3335.85 feet to Station NV 35 of the Park boundary, the same being the Southwest corner of the W. T. and Barthania Rose tract; thence

Existing or outstanding special use permits, reservations, rights, or rights of way continued:

with the Park boundary two courses as follows: South $76^{\circ} 17'$ West 1462.30 feet to a stake; thence South $76^{\circ} 13'$ West 1049.71 feet to the point of beginning. Containing 196.276 acres more or less. Bearings herein based on the meridian of the Tennessee Plane Coordinate System.

The above described property is that same property which was acquired by the Commonwealth of Virginia by judgments of the Circuit Court of Lee County, Virginia entered on the 6th day of March 1951, and the 3rd day of October 1951 and recorded in the office of the Clerk of Lee County, Virginia, in Deed Book 139, at pages 331-334, Deed Book 140 at pages 355-359, and in Deed Book 141 at page 403.

4. The water and water rights to the underground stream which are the sources of Gap Creek and which supply water to the towns and communities of Cumberland Gap and Harrogate, Tennessee, including all the appurtenances and privileges attached and pertaining thereto, and including the exploration, occupation, maintenance, development, operation and exhibition of the caves and caverns known as Soldier's Cave, Solomon's Cave and Cudjo's Cave, all of which were more particularly described and reserved in two deeds to the Commonwealth of Virginia from Lincoln Memorial University, the first bearing date of April 3, 1947, and recorded in the office of the Clerk of Lee County, Virginia, in Deed Book 143 at page 311 and the second bearing date of May 4, 1950, and recorded in the aforesaid Clerk's office in Deed Book 138 at page 408.

5. A right of way of U. S. Highway No. 25-E for a water pipe line under and through lands conveyed to the Commonwealth of Virginia by Lincoln Memorial University by deed dated the 3rd day of April 1947 and recorded in the office of the Clerk of Lee County, Virginia in Deed Book 143 at page 311 and set out in said deed as Exception No. 10.

6. The right of way of U. S. 25-E commencing in the saddle of Cumberland Gap at the Kentucky and Virginia State line, and extending in a southeasterly direction to the Tennessee and Virginia State line.

7. The right of way of U. S. Highway No. 38 commencing at the junction of said highway with U. S. Highway No. 25-E, and extending in an easterly direction to Station 2V 77 in the Park boundary.

8. The right of way of the Louisville and Nashville Railroad Company for its railroad tunnel as more particularly set out in a conveyance to the Commonwealth of Virginia from the American Association, Incorporated, dated the 6th day of June 1949, and recorded in the office of the Clerk of Lee County, Virginia in Deed Book 135 at page 421.

There is also included within these bounds but excluded from the area thereof a small tract of land known as the Louisville and Nashville Railway Station Lot and described as follows: Beginning at a point in the Virginia and Tennessee state line the position of said point in terms of the Tennessee Plane Coordinate System is: Y equals 612,099.86 X equals 2,603,663.93 runs thence North $37^{\circ} 23'$ West 230.42 feet to a stake; thence North $42^{\circ} 42'$ East 130.00 feet to a stake; thence South $33^{\circ} 25'$ East 212.89 feet to a stake; thence South $28^{\circ} 19'$ East 190.62 feet to a point in the Virginia and Tennessee state line; thence with the said state line North $69^{\circ} 38'$ East 223.06 feet to the point of beginning. Containing 1.335 acres. Bearings herein based on the meridian of the Tennessee Plane Coordinate System.

9. The right of B. L. O'Hall to remain in possession of the below described tract of land until December 31, 1956 which right or privilege shall terminate on that date unless otherwise determined by the United States of America, its agents or assigns.

... or rights of way

The said land is located on the South side of Cumberland Mountain in the Rose Hill Magisterial District of Lee County, Virginia and is more particularly described as follows: Beginning at a point in the Virginia and Tennessee state line the position of said point in terms of the Tennessee Plane Coordinate System is: Y equals 812,075.84 X equals 2,686,523.68 runs thence with the American Association East boundary 3 courses as follows: North 31° 48' West 229.90 feet to a stake; thence South 85° 00' West 233.33 feet to a stake; thence North 33° 47' West 224.89 feet to a stake; thence North 63° 37' West 178.74 feet to a stake; thence North 102.32 feet to a point in the South boundary of the L. M. U. tract; thence with the South boundary of the L. M. U. tract North 63° 36' East 1227.93 feet to a stake, also a corner of the American Association tract No. 11; thence with the West boundary of the American Association tract No. 11 South 36° 35' West 713.00 feet to a stake in the Virginia and Tennessee state line; thence with said state line North 63° 36' West 141.90 feet to the beginning. Containing 4.750 acres. Bearings herein based on the meridian of the Tennessee Plane Coordinate System.

Included within these bounds but excluded from the area thereof is Virginia Highway No. 36 right of way containing 2.77 acres.

The above described property is the same property which was acquired by the Commonwealth of Virginia, by judgment of the Circuit Court of Lee County, Virginia, entered on the thirtieth day of July 1933, and recorded in the office of the Clerk of Lee County, Virginia, in Deed Book 146 at page 151.

10. The right and privilege of Verdie Colson, the owner of land adjacent to Colson Tract No. 39-B to have access to Station Creek, at a point to be mutually agreed upon between the said owner and the petitioner or the National Park Service, for the purpose of watering her livestock from her adjoining land, and the right and privilege of Vera Colson, the owner of said Colson Tract No. 39-A, to have access to Station Creek, at a point to be mutually agreed upon between the said owner and the petitioner or the National Park Service, for the purpose of watering her livestock from her adjoining land.

It is specifically agreed and understood that this conveyance is made on the condition that the United States of America, party of the second part, shall administer, protect and develop the above described property for National Park purposes in accordance with Federal laws regulating National Parks and that in the event the United States of America abandons said land and discontinues the use thereof for National Historical Park purposes the land shall therefore revert to the Commonwealth of Virginia.

Other Supporting Information

CUMBERLAND GAP NATIONAL HISTORICAL PARK

Docket # 4

Name of System: W. P. Baumgardner Residence. Consist of 1 spring which originates in cave and overflows at Iron Foundary. (Information obtained from Vernon Ingram 6/7/62).

Docket Information

Number of Documents in Docket 15

Documents Dated from 6/7/1962 to 6/7/1962

Docket Compiled: 2/15/2011