

Deed, NC, Lincoln, WILLIAM & MARY ADEAR to DAVID STERRET, 1769

THIS INDENTURE made the 25th day of July in the year of our Lord Christ 1769.

BETWEEN **WILLIAM ADEAR** and **MARY**, his wife, of the county of Tryon in the province of North Carolina of the one part and **DAVID STERRET** of the county of Cumberland and province of Pennsylvania of the other part.

WITNESSETH that for and in consideration of the sum of £25 proc. money to the said **WILLIAM ADEAR** and **MARY**, his wife, in hand paid by the said **DAVID STERRET** and at and before the sealing and delivery of these presents, the receipt whereof they, the said **WILLIAM ADEAR** and **MARY**, his wife, do hereby acknowledge and thereof doth exonerate, acquit and forever discharge the said **DAVID STERRET** his heirs, executors and administrators, by these presents, they, the said **WILLIAM ADEAR** and **MARY**, his wife, has given, granted, bargained, sold, aliened, released and confirmed and by these presents doth give, grant, bargain, sell, alien, release and absolutely confirm unto the said **DAVID STERRET**, his actual possession now being by virtue of a bargain and sale to him there of made by the same **WILLIAM ADEAR** and **MARY**, his wife, for one whole year by indenture during date before the date of these presents and by force of the statute for transferring uses into possessions, and to his heirs and assigns forever, all that tract, peace, or parcel of land, situated, lying and being in the county of Tryon, in the province of North Carolina, on the south side of the Catawba River on the South Fork of Fishing Creek being the uppermost half part of the plantation whereon the said **WILLIAM ADEAR** now lives.

Beginning at a Red Oak at the old beginning corner; thence along the old line S 28 W 72 to a post; thence S 75 E 40 chains to a post in a branch; thence N 28 E 70 chains to a Hickory on the old line; thence N 57 W 40 chains to the beginning.

CONTAINING by estimation 285 acres of land.

GRANTED by his Majesty's patent to **ABRAHAM KUYKENDALL** bearing date the 27th day of March 1753 and conveyed by the said **ABRAHAM KUYKENDALL** to the said **WILLIAM ADEAR** by lease and release the sixteenth and seventeenth days of May 1754, reference their into had will more fully and at-large appear.

AND all houses, buildings, orchards, gardens, enclosures, improvements, woods, trees, ways, waters, water courses, profits, commodities, hereditaments and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof and all the estate, right, title, interest, use, trust, property, claim, and demand whatsoever either in law or equity of them the said **WILLIAM ADEAR** and **MARY**, his wife, of, in, and to the said premises, and all deeds, records, evidences, and writings touching or concerning the same.

TO HAVE AND TO HOLD the same describe tract or parcel of land and all and singular the premises hereby granted and released, and every part, person, and member thereof with their and every of their appurtenances unto the said **DAVID STERRET** his heirs and assigns to the only proper use and behoof the said **DAVID STERRET** his heirs and assigns forever and to and for no other use intent or purpose whatsoever

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AND THE SAME **WILLIAM ADEAR** and **MARY**, his wife, for them and their heirs, executors and administrators doth covenant, promise and agree to and with the said **DAVID STERRET** his heirs, executors, administrators and assigns, by these presents, that they, the said **WILLIAM ADEAR** and **MARY**, his wife, now at the time of sealing and delivery of these presents is seized of a good, sure, perfect, absolute and indefeasible estate of inheritance in fee simple of and in the premises hereby granted and released and that they have not heretofore omitted, committed or suffered any act, matter, course or thing whatsoever hereby the said 285 acres of land, hereditaments and premises or any part, parcel or member thereof, are, is shall or may be impeached, charged, or encumbered, in title, charge, or state or otherwise by any person or persons whomsoever.

AND THAT the said **WILLIAM ADEAR** and **MARY**, his wife, has good power, lawful and absolute authority to grant, and convey the same to the said **DAVID STERRET** his heirs and assigns in manner and form aforesaid and that the said premises now are free and clear and freely and clearly acquitted and discharged of and from all former and other gifts, grants, bargains, sales, dower, and title of dower, mortgage, entails, messuages, judgments, executions, troubles, charges, and encumbrances, whatsoever, prior to the date hereof, and quit rents to grow due and or payable to his majesty his heirs, officers or successors and also the one half of all gold and silver mines for the use of his majesty only accepted and foreprized and further that the said **WILLIAM ADEAR** and **MARY**, his wife, and their heirs and all and singular the premises hereby granted and with their and every of their appurtenances unto the said **DAVID STERRET** his heirs and assigns against all them, the said **WILLIAM ADEAR** and **MARY**, his wife, and their heirs and against all and every other person or persons whomsoever shall and will warrant and forever defend by these presents.

AND LASTLY the said **WILLIAM ADEAR** and **MARY**, his wife, and their heirs shall and will at any time or times here after at and upon the reasonable request, at the cost and charges of the said **DAVID STERRET** his heirs and assigns make and execute or caused to be made, done, and executed all such further and other reasonable act or acts, conveyance and conveyances, or assurances, in the law whatsoever for the further and better conveying and assuring the said describe premises with their appurtenances as respecting errors if any there be unto the said **DAVID STERRET** his heirs and assigns forever as by the said **DAVID STERRET** his heirs and assigns or by his or their counsel learned in the law shall be reasonably devised, advised or required.

In witness whereof the said **WILLIAM ADEAR** and **MARY**, his wife, have here in to set their hands and seals the day, month and year first above written.

WILLIAM ADEAR {seal}
MARY ADEAR {seal}

Signed, sealed, and delivered in the presence of

SAMUEL NEISBETT
JAMES WILLIAMSON

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North Carolina
Tryon County

July turn 1769

This is to certify that the execution of the within lease and release was duly proved in open court and recorded in the clerk's office according to law.

EZEKIEL POLK, County Clerk

Let it be registered

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