

Ownership History of
Property and barn Commonly known as the Floyd Wallin Barn
Laurel Township
Madison County, NC

The Larry and Genevieve Burda property, shown in Figure 1, hereafter referred to as the 'barn tract', is located in the Laurel Township of Madison County, on the south side of NC Hwy 212, near the intersection of Joe Tweed Road. Despite the fact that the publically available deed records for both the barn tract, and all surrounding tracts, were examined, the ownership history of this tract could not be definitively traced back before 1940, and questions even remain on the 1940 deed, as well. Speculation that the barn was built by someone with initials E. G., perhaps E. Gentry, as carved in a log, or Joe Tweed, based on other suspected barns he built in the area, could not be verified.

The barn tract last changed hands in 2006, when the 10.18-acre tract was purchased by the Burda family from the heirs of Floyd and Olia Wallin. Prior to that sale, and perhaps due to the ambiguity of prior deeds, the Wallin family commissioned two surveys, one for their land south of NC 212, shown in Figure 2, and one for their acreage north of the highway (Figure 3). As common for most recent property surveys, the plats make reference to the pertinent deeds, both for the subject tract as well as offset tracts. From the standpoint of the current investigation, the key deed referenced (DB162, P156) is from 1985, when four tracts, one of which included the barn tract, totaling some 53 acres, were deeded from Floyd and Olia Wallin to their children. A plat for these four tracts was never located, though the second survey commissioned in 2006 (Figure 3) does elude to these 1985 tracts, though this plat does not attempt to identify the old tract boundaries. According to the notes made by the surveyors, shown in Figure 2 and 3, the barn tract was part of Tract IV, itself estimated at 37 acres. A great deal of time was spent attempting to define this tract, with little success.

Figure 4A illustrates the entire area surveyed in Figure 3, the outlines of this survey shown faintly on a Google Earth base map. The description of Tract IV is also shown, to the right as Figure 4B. The actual image of the description is from a 1940 deed, from Mrs. M. A. Franklin to Floyd and Olia Wallin, but the wording is identical. This earlier 1940 description, used verbatim in 1985, is key to understanding the bounds of 'Tract IV', since many of the referenced owners would be pertinent in 1940, but would have changed significantly in 1985, let

alone 2006. However, though the examination of offset deeds to the Wallin property, many of these references could be located (blue labels on Figure 4A). Even so, the bounds of Tract IV, which, supposedly, contains the barn tract, could not be recreated. A careful examination of the description would seem to outline a tract of land on the north side of the highway (and the parallel Shelton Laurel Creek), specifically references to Joe Tweed, Ben Franklin and Jess Bishop but particularly references to Ky Mountain. Ky Mountain, though not located on any USGS topographic map, is referenced in a number of deeds and is indicated on Figure 4A. David Franklin properties do extend south of the creek, including the tract immediately offsetting the barn tract to the south. However, the deed description never mentions crossing the road, or crossing the creek, both of which would be expected in a land parcel description of this era. It appears clear, with this confusion, why the Wallin family would have their property resurveyed, with the 2006 deed referencing the new survey (Figure 2), rather than the confusing, and outdated description used in 1940 and 1985.

The ambiguous description, however, is not even the principle reason the ownership history could not be traced back further. An examination of the offset tracts south of the highway yielded no definitive clues as to the specific ownership history of the barn tract before 1940. The grantor in the 1940 deed is listed as 'Mrs. M. A. Franklin (widow)'. The identity of this person, or even if 'M.A.' was her name or her husband's, is not known. We only know that her husband died before December 9, 1940, the date of the deed. Franklin is a common name in Madison County, especially in Shelton Laurel, but one clue is the aforementioned tract just south of the barn tract. This parcel was deeded by David Franklin to Memphis Franklin in 1939. This father-to-son transfer suggested this tract, and perhaps others in the area, have been in the Franklin family for generations. Even so, a grantee search for David Franklin or his ancestors, revealed no deeds that would have included the barn tract. However, the fact that the barn tract was deeded by a Franklin in 1940, and the tract to the south was also a Franklin tract, does suggest that the true history would most-likely include the Franklin family.

There is no doubt the ownership history of the Burda property can be unraveled back to the mid-to-late 1800s, but with the amount of work that would entail, and the number of deeds to be researched, it was determined the point of diminishing returns had been reached.

Researched by: Mike Foster, April 6, 2017