

NAME OF CLAIMANT

#240 - Herring, Ellie

Number of Acres: 38

Location: Hawksbill Creek, near Simmons Gap, and is entirely within the Park area.

NOTE: This tract was completely surveyed and this acreage was found.

Roads: Eleven miles to Elkton over seven miles of county road and four miles over Spotswood Trail.

Soil: Sandy loam.

History of Tract and condition of timber: There is no saw timber on the wooded area and about half of the grazing land is badly growing up to brush.

Improvements: (See reverse side for Improvement information)

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	5	@	\$5.00	\$25.00
Cove:				
Grazing Land:	14	@	25.00	350.00
Fields Restocking:				
Cultivated Land:	19	@	35.00	665.00
	38			\$1040.00
Orchard:				

Minerals:

Value of Land: \$ 1040.00 1045.00

Value of Improvements: \$ 1045.00

Value of Orchard: \$ 150.00

Value of Minerals: \$ 150.00

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$ 50.00 50.00

\$2285.00

Value per acre for tract: \$60.13

Incidental damages arising from the taking of this tract: \$ NONE.

Geo. N. Peni

CLERK.

IMPROVEMENTS: Dwelling: Frame, 14x16', 4 rooms, porch 6x14', metal roof, stone flues, 1½ story, fair condition, occupied by owner, solid foundation.
Barn: Log and frame, 14x16x12', metal roof, with sheds, fair condition.
GRANARY: Frame, 16x16x12', metal roof, fair condition.
Meat house: Frame, 8x10x10', metal roof, fair condition.
Old stable: Log, 12x12x10', shingle roof, poor condition.

REPORT ON THE ACREAGE

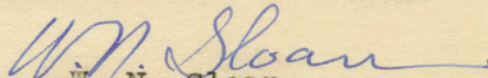
of the

ELLIE HERRING TRACT #240.

There is no description of this tract, by bearings and distances, on record. The deed calls for 45 acres.

However, we made a complete field survey of this tract, and from this survey I compute the area of this tract to be 38 acres.

The state report calls for 36 acres.


W. N. Sloan,

Chief Engineer, Park Service.

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County: Rockingham
District: Stonewall

#240 - Herring, Ellie

Acreage Claimed: Assessed 45 A. Deed: 45 A.
Value Claimed: " \$300.00 " Love, etc.

Location: Hawksbill Creek, near Simmons Gap and is entirely within the Park area.
Note - This tract was completely surveyed and this acreage was found.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam.

Roads: Eleven miles to Elkton over seven miles of county road and four miles over Spotswood trail.

History of tract and condition of timber: There is no saw timber on the wooded area and about half of the grazing land is badly growing up to brush.

Improvements:

<u>Dwelling:</u> Frame 14x16', 4 rooms, porch 6x14', metal roof, stone flues, 1½ story, fair condition, occupied by owner, solid foundation -----	\$500.00
<u>Barn:</u> Log and frame 14x16x12', metal roof, with sheds, fair condition -----	100.00
<u>Granary:</u> Frame 16x16x12', metal roof, fair condit-	100.00
<u>Meat house:</u> Frame 8x10x10', metal roof, fair "	25.00
<u>Old stable:</u> Log 12x12x10', shingle roof, poor "	20.00
<u>Timber:</u> Fuelwood 50cords valued @ 50¢ -----	25.00
	770.00

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	5	\$3.00	\$15.00
Fc	19	25.00	475.00
Fg	12	20.00	240.00
	36		\$730.00

Total value of fruit trees	-----	\$50.00
Total value of land	-----	730.00
Total value of improvements	-----	770.00
Total value of tract	-----	\$1550.00
Average value per acre	e-----	43.05

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

The State Commission on Conservation and
Development of the State of Virginia

vs.

Cassandra Lawson Atkins and others

On this, the 2 day of ^{June}~~May~~, 1934, came Ellie Herring, and on her motion, leave is given her to file her petition and it appearing to the Court that \$2285.00 is the amount of the award set out in the judgment of condemnation for Tract No. 240, heretofore paid into the Court; and it appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause and in the petition for judgment and condemnation heretofore filed herein that in the opinion of petitioner the said Ellie Herring is invested with a superior or better right or claim of title in and to said Tract No. 240; and that the record of this cause does not show any denial or dispute by any party or persons in interest as to the said tract or to the proceeds arising from the condemnation thereof; and it further appearing to the Court that all taxes due or taxable upon said Tract No. 240 have been paid;

Upon Consideration Whereof, it is adjudged and ordered by the Court that the said sum of \$2285.00 paid into Court as just compensation for said Tract No. 240, be paid to said Ellie Herring, and the Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay unto the said Ellie Herring the said sum of \$2285.00, the amount of award set out in the judgment of condemnation of said tract of land, taking from said Ellie Herring a receipt therefor, and certifying such payment to the Clerk of this Court for appropriate entry thereof as required by law.

Enter:

Stuart Judge

20
/ 195

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

State Commission on Conservation and
Development of the State of Virginia

Petitioner

vs.

Cassandra Lawson Atkins, and others

Respondents

The petitioner, the State Commission on Conservation and Development of the State of Virginia, on the _____ day of December, 1933, having paid into Court the sum of \$2285.00, the amount of award set out in the judgment of condemnation for Tract No. 240, the undersigned, Ellie Herring, hereby applies to the Court, or to the Judge thereof in vacation, for an order of judgment for the distribution of said sum of \$2285.00 to the said Ellie Herring, on the ground that it appears from the report of the Board of Appraisal Commissioners, heretofore filed, and the said petition for judgment and condemnation, that the undersigned, in the opinion of petitioner, is invested with the superior or better right or claim of title in and to said tract of land No. 240, and, therefore, to the proceeds arising from the condemnation thereof, and is entitled to receive the proceeds arising from the expropriation of said Tract No. 240.

That the said Ellie Herring, your petitioner, is the sole owner of said tract or parcel of land, situate on the western slope of the Blue Ridge Mountains in the eastern part of Stonewall District, Rockingham County, Virginia, which land she acquired from N. C. Herring, by deed dated December 1, 1926, which deed is duly of record in the Clerk's Office of said County in Deed Book No. 136, at page 584, the original of said deed is filed herewith, marked "Exhibit Deed", and is prayed to be read as a part hereof.

The undersigned avers that the record in this suit does not disclose any denial or dispute by any party or person in

interest as to the title to said Tract No. 240, or to the proceeds arising from the condemnation thereof, and the said statement in petition of condemnation as to the title of the undersigned is true;

That all taxes due the County of Rockingham and State of Virginia are paid, as shown by the certificates of the Clerk of the Court and the Treasurer of said County.

And that the undersigned has title in fee simple and prays the Court that it will order and direct the payment of said sum of \$2285.00 to the undersigned.

witnessed
mark:
H. W. Wyant
Al Lewis

Ellie Herring
mark.

State of Virginia,

County of Rockingham, to-wit:

I, *Al Lewis* a Notary Public of and for the County of Rockingham, in the State of Virginia, do certify that on this the 28th day of May, 1934, personally appeared before me in my said County, Ellie Herring, and made oath that the statements claimed in the foregoing petition are true.

Given under my hand this 28th day of May, 1934.

Al Lewis

Notary Public
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This deed, made this 1 day of December, 1926, by and between W. C. Herring, party of the first part, and Ellie Herring, his wife, party of the second part, both parties of Rockingham county, State of Virginia.

Witnesseth

That the said party of the first part, for and in consideration of the love and affection to and for the said Ellie Herring, as well as one dollar cash to him in hand paid by the said Ellie Herring, the receipt whereof is hereby acknowledged, has given, granted, and conveyed, with general warranty of title, unto the said Ellie Herring, all that certain tract or parcel of land situate lying and being in the eastern part of said county, in Simmons Gap, adjoining the lands of G. E. Shifflett, Charles Davis, J. Warren Shifflett, Wilmer Shifflett, and Charles Begoon, containing 45 a. more or less, together ~~with~~ all the personal property now belonging to the said W. C. Herring is hereby given, granted and conveyed to the said Ellie Herring; the said personal property consisting of one cow and yearling, seven hogs, corn and other grain, provisions, farming implements and all household and kitchen furniture.

And the said W. C. Herring covenants to and with the said Ellie Herring that he has the right to convey the real estate and personal property above mentioned and that he will make such further assurances as may be necessary to perfect the title to the said grantee. Witness the following signature

"54 hit Deed" } property

HARRISONBURG, Va., 1934
Recorded in _____
No. 14186 page _____
Cot

J. J. Blackman
Rockingham Coun

Admitted DEC 13 1932
Tax \$ 1.20 Fees
Transfer \$ 1.00 Tot

Herring N.
To Robert H
Herring
Bulmer
or

M. H. HARRISON
TREASURER OF ROCKINGHAM COUNTY
HARRISONBURG, VIRGINIA

TO WHOM IT MAY CONCERN:

I hereby certify that the 1933 taxes assessed against the tract of 45-0-0 acres of land in the name of Ellie Herring, situate in the Park Area in Stonewall District, this County, has been paid.

Given under my hand this 28th day of May 1934.

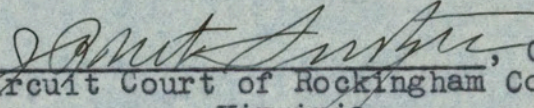
M. H. Harrison, Treasurer
By *R. M. Harrison* Deputy

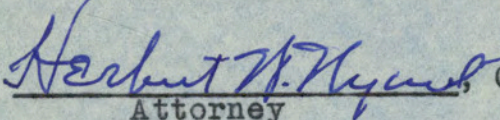
STATE OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

I, J. Robert Switzer, Clerk of the Circuit Court of Rockingham County, do hereby certify that the records in my office do not show any delinquent taxes against the tract of 45 acres situate in Simmons Gap in Stonewall District, assessed in the name of Ellie Herring.

Given under my hand this 28th day of May, 1934.


Clerk
Circuit Court of Rockingham County
Virginia.


Attorney, O. K.

HERBERT W. WYANT
ATTORNEY AT LAW
HARRISONBURG, VA.
FIRST NATIONAL BANK BUILDING

*
1,567.50
523.75
517.75
1,855.88
1,025.41

5,490.29*

There are no book
taken. Clerk's certificate
to this effect is made out
and is on Miss Brannum's
desk. Will file it with
papers to tomorrow.

DLE
P. S.



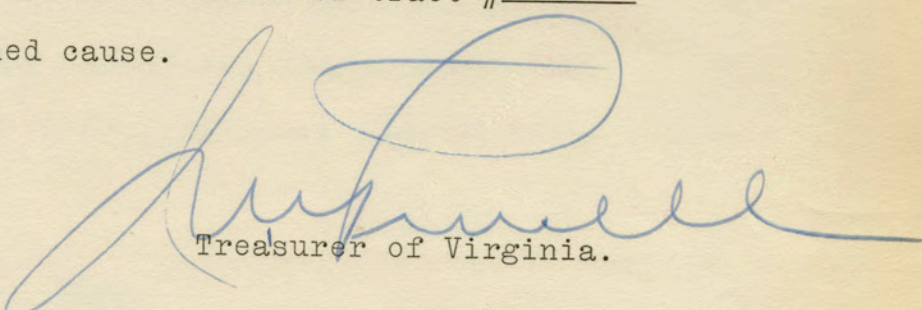
JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE
RICHMOND, VA.

June 5, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 5 day of June in accordance with an order of the circuit court of Rockingham County dated 6/2/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins and others paid to Ellie Herring \$ 2,285.00 being in full settlement of tract # 240 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

June 5, 1934

Ellie Herring

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 2,285.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 2nd day of June 1934, in the matter of the State Commission on Conservation and Development v Cassandra Lawson Atkins and others, being full and complete settlement for the tract of land known in said proceeding as # 240.

witness
H. W. Hyatt

^{luc}
Ellie Herring
mark

Sign original and duplicate
and return to the Treasurer
of Virginia.