

NAME OF CLAIMANT

#123- Comer, Julia L.

Number of Acres: 13

Location: Sandy Bottom.

Roads: One mile of fair dirt road to Spottswood Trail near Swift Run; thence four miles to Elkton.

Soil: Sandy clay of good depth and fertility with moderate slopes and very little rock. Southwest exposure.

History of Tract and condition of timber: One-half of the tract cleared many years ago, and has been cultivated since. The wooded area has been cut over repeatedly. It is estimated to cut four cords per acre. The present stand consists of oaks, hickory and some poplar.

Improvements: None.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope: --	6	@	\$5.00	\$30.00
Cove:				
Grazing Land: --	$\frac{7}{13}$	@	30.00	$\frac{210.00}{\$240.00}$

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$ 240.00

$\frac{20.00}{\$260.00}$

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$ 20.00

Value per acre for tract: \$ 20.00

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

*Geo. H. Pennington* CLERK

Claim of \_\_\_\_\_  
In the Circuit Court of Rockingham County, Virginia, No. \_\_\_\_\_, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Julia L. Comer  
For 27 A.1 R.20 Ps. of land  
more or less, of land in Rockingham County, Virginia, Defendants.  
The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Julia L. Comer  
My post office address is Swift Run Va.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 27 A.1 R.20 Ps acres, on which there are the following buildings and improvements: Stable

This land is located about Five miles from Elkton Virginia, in the Stonewall Magisterial District of said County.

I claim the following right, title, estate or interest in the tract or parcel of land described above: (In this space claimant should say whether he is sole owner or joint owner, and if joint owner give names of the joint owners. If claimant is not sole or joint owner, he should set out exactly what right, title, estate or interest he has in or to the tract or parcel of land described above.)

I am sole owner

The land owners adjacent to the above described tract or parcel of land are as follows:  
North Mr. Comer and L.C. Meadows

South A.J. Baugher

East J.M. Comer and others

West Henry Shiflett and others

I acquired my right, title, estate or interest to this property about the year 1915 in the following manner:

By partition of my father Geo. T. Baugher's estate, the tract is composed of two parcels, one of 12 and the other 14 acres

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 1362.00. I claim that the total value of my right, title, estate or interest, in and to this tract or parcel of land with the improvements thereon is \$ 1362.00.

I am the owner of 00 acres of land adjoining the above described tract or parcel of land but lying outside the Park area, which I claim will be damaged by the proposed condemnation of lands within the Park area, to the extent of \$ \_\_\_\_\_.

(In the space below should be set out any additional statements or information as to this claim which claimant desires to make; and if practicable he should also insert here a description of the tract or parcel of land by metes and bounds).

Remarks: \_\_\_\_\_

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 3rd day of Feb. 1931, 1930, Julia L. Comer

STATE OF VIRGINIA, COUNTY OF Rockingham, To-wit:

The undersigned hereby certifies that Julia L. Comer the above named claimant personally appeared before him and made oath, that the matters and things appearing in his above answer are true to the best of his knowledge and belief, this 3rd day of Feb. 1931, 1930

H. P. G. Gentry Jr.  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

County: Rockingham  
District: Stonewall

#123 - Comer, Julia L.

Acreage Claimed: 27 A. 1 R. 20 P. Assessed: 27 A-40 P.

Deed: 27 A-70 P.

Value Claimed: <sup>x</sup> \$3,162.00

" \$270.00

This includes one other tract. 26 A.150P purchased 1916 consideration unknown. 80 P purchased 1913 for \$85

Location: Sandy bottom.

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay of good depth and fertility with moderate slope and very little rock. Southwest exposure.

Roads: One mile of fair dirt road to Spotswood Trail near Swift Run; thence four miles to Elkton.

History of tract and condition of timber: One-half of the tract cleared many years ago and has been cultivated since. The wooded area has been cut over repeatedly. It is estimated to cut four cds per acre. The present stand consists of oaks, hickory and some poplar. 24 cds. of cd. wood valued @ 50¢ ---\$12.00

Improvements: None.

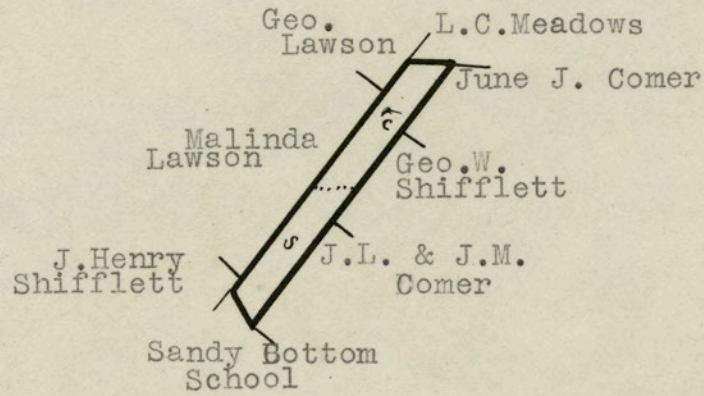
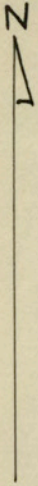
Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	6	\$5.00	\$30.00
F g	7	33.00	245.00
	<u>13</u>		<u>275.00</u>

Total value of land	\$275.00
Total value of improvements	--
Total value of timber	12.00
Total value of tract	<u>287.00</u>
Average value per acre	22.08

x - This includes tract #123-a

#123- Comer, Julia L.



LEGEND:

Slope      Grazing  
Scale - 1" = 20 chains

No. 123

RETURN IN FIVE DAYS TO  
**J. ROBERT SWITZER, CLERK**  
Circuit Court of Rockingham County  
HARRISONBURG VIRGINIA

STATEMENT

OF

)

Ethel Irwin Lineweaver, p.q.

JULIA L. COMER

*Filed 8/28/33*

STATEMENT OF COSTS, POSTAGE, ETC.:

RE: ARBITRATION AGREEMENTS submitted to the Governor arising in or out of Condemnation Proceedings pending in the Circuit Courts of Virginia under authority of the Shenandoah National Park Act.

- - -  
MRS. JULIA L. COMER #123

Filed in the Clerk's Office  
Rockingham County, Va.

AUG 28 1933

TO THE HONORABLE BOARD OF ARBITRATION:

*Robert S. Smith* Clerk

Pursuant to the rules of procedure adopted by this Honorable Board on August 16, 1933, Julia L. Comer, land owner, respectfully submits the following statement:

a. That the number of the tract of land, owned by Julia L. Comer, shown on the county ownership map filed in the condemnation proceedings is # 123.

b. That the acreage of said tract is 12 acres, 1 rood and 24 poles, That the said Julia L. Comer is the owner in fee simple of said real estate; she having acquired the same in the partition of the lands of the late George T. Baugher, the same having been assigned to her by the commissioners appointed in the chancery cause of George T. Baugher's heirs v. George T. Baugher's heirs, which report of said commissioners was confirmed by decree entered by the Circuit Court of Rockingham County, Virginia, in said cause on July 20, 1916; and is duly of record in the Clerk's Office of Rockingham County, Virginia, in Deed Book 106 at page 242; reference is here made to said title papers.

c. The said 12 acres, 1 rood and 24 poles of land is situate on the south western slope of a mountain ridge, in the Blue Ridge Mountains at Sandy Bottom School house. The character of said land is chocolate clay mountain soil, especially adapted to the production of various crops of the county, with smooth surface and a scanty covering of small loose rock which in no way interfere

with the cultivation thereof. This land is free from large stones and the few loose rocks are small and on the surface. Six acres of said land is cleared and has been grassed for about ten years with the result that it is now of splendid quality and is capable of producing large crops without fertilizer. The value of said 6 acres is \$ 40.00 per acre. The remaining 6 acres, 1 rood and 24 poles is in timber, and is of the same quality of soil as the said 6 acres. It is estimated that said timber tract will yield 18 cords of wood per acre, valued at \$ .75 per cord, or a total of \$ 13.50 per acre. The value of the 6 acres, 1 rood and 24 poles of land exclusive of timber is \$ 25.00 per acre. Therefore, the value of said land and the growing timber thereon:

Cultivated land, 6 acres at \$ 40.00 per acre	\$ 240.00
Timber land, 6 acres, 1 rood, 24 poles ( exclusive of growing timber) at \$25.00 per acre	<u>160.00</u>
Aggregate value of entire tract exclusive of growing timber	\$ 400.00
Growing timber on 6 acres, 1 rood, 24 poles at \$ 13.50 per acre	<u>86.40</u>
Aggregate value of tract of 12 acres, 1 rood and 24 poles, including growing timber	\$ 486.40

There is no claim to any incidental damages to adjacent land of the owner not to be condemned.

It is suggested that the arbitrators accept and allow the value placed on said land in this statement, taking into consideration the affidavits of P. B. F. Good and others heretofore filed herein. If the value is not thus fixed, then this claimant respectfully requests an oral hearing.

Respectfully submitted.

STATE OF VIRGINIA

CITY OF HARRISONBURG, to-wit:

This day personally appeared before me, Janet Sprinkel, a notary public in and for the city and State aforesaid in my said city, Ethel Irwin Lineweaver, who, being duly sworn, made oath that she is attorney for Julia L. Comer, and is authorized to make this affidavit; that the statements contained hereinbefore are true, except in so far as they are therein stated to be upon information; and that in so far as they are therein stated to be upon information, she believes them to be true.

Given under my hand this 28th day of August, 1933.

Janet Sprinkel N.P.



Claim of \_\_\_\_\_  
In the Circuit Court of Rockingham County, Virginia, No. \_\_\_\_\_, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. J.M. Comer

more or less, of land in Rockingham County, Virginia, Defendants.  
The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Julia L. Comer  
My post office address is Swift Run Virginia.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about one-half acres, on which there are the following buildings and improvements: Dwelling, 2-henhouses, hogpen, fruit house  
~~and garage~~

This land is located about five miles from Erkton Virginia, in the Stonewall Magisterial District of said County.

I claim the following right, title, estate or interest in the tract or parcel of land described above: (In this space claimant should say whether he is sole owner or joint owner, and if joint owner give names of the joint owners. If claimant is not sole or joint owner, he should set out exactly what right, title, estate or interest he has in or to the tract or parcel of land described above.)

~~I hold deed for life and then to my heirs~~

The land owners adjacent to the above described tract or parcel of land are as follows:  
North My own land of an other tract  
South Same as on north  
East J. J. Comer  
West My own land in another tract

I acquired my right, title, estate or interest to this property about the year 1906 in the following manner:

~~By deed from Geo. T. Baugher and wife~~

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 1800.00. I claim that the total value of my right, title, estate or interest, in and to this tract or parcel of land with the improvements thereon is \$ 1800.00.

I am the owner of 1/2 acres of land adjoining the above described tract or parcel of land but lying outside the Park area, which I claim will be damaged by the proposed condemnation of lands within the Park area, to the extent of \$ 1000.00.

(In the space below should be set out any additional statements or information as to this claim which claimant desires to make; and if practicable he should also insert here a description of the tract or parcel of land by metes and bounds).

Remarks: \_\_\_\_\_

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 3rd day of Feb. 1931, 1930  
Julia L. Comer

STATE OF VIRGINIA, COUNTY OF Rockingham, To-wit:

The undersigned hereby certifies that Julia L. Comer the above named claimant personally appeared before him and made oath that the matters and things appearing in his above answer are true to the best of his knowledge and belief, this 3rd day of Feb. 1931, 1930.

H. M. G. Gumbert, Jr.  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

Petitioner

v. #1829

Cassandra Lawson Atkins, and others, and  
fifty-two thousand, five hundred sixty-one  
acres (52,561) more or less, of land in  
Rockingham County, Virginia.

Defendants

In compliance with the order entered in the above entitled case on the twenty-fifth day of October, 1932, and in response thereto, your defendant respectfully states that the tract or parcel of land within the area sought to be condemned, ownership of which is claimed by her, and with reference to which she has filed her objections, is the same tract or parcel which was found by the Appraisal Commissioners to be land owned by her, being tract Number 123, as shown and delineated on the map filed with the report, and exhibits sheets thereto attached, made to by said commissioners.

*Julia L. Crowe*  
By Counsel

*Ethel Irwin*  
Counsel

Filed in the Clerk's Office  
Rockingham County, Va.

NOV 9 1932

*J. Robert Switzer* Clerk

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Filed in the Clerk's Office  
Rockingham County, Va.

OCT / 1932

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

v. ) Condemnation

- -

Claim #123

*Robert S. Suttys* Clerk

Cassandra Lawson Atkins, &c

Now comes the undersigned defendant, Julia L. Comer, and moves the court to decline to accept the report of the board of appraisal commissioners heretofore filed in this proceeding, with respect to Claim #123, and to disapprove the findings of fact therein contained, on the following ground:

That the allowance or award made for the land of the undersigned, to-wit, the sum of \$260.00, is grossly inadequate; so inadequate as to indicate that said board was affected or influenced by some error, mistake or misapprehension of facts as to the identity of said land, or some mistake of law as to the nature and effect of the evidence considered.

WHEREFORE, Petitioner prays leave to file this, her exception to said report; and in support of this exception files herewith the attached affidavit.

And she will ever pray, etc.

*Julia L. Comer*  
By counsel.

*Ethel Lewis*  
Counsel

Re: Julia L. Cromer

13 acres

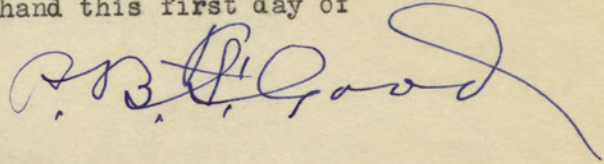
Claim # 123

State of Virginia,

City of Harrisonburg, to-wit:

P. B. F. Good, being duly sworn, makes oath that he surveyed the 13 acres of land, owned by Julia L. Comer, referred to in the above claim, and that to his personal knowledge the said land, including the timber thereon, is worth forty dollars (\$40.00) per acre, and that in his opinion said price of forty dollars (\$40.00) per acre is the fair market value thereof at the present time.

Given under my hand this first day of  
October, 1932.



This day personally appeared before me  
Janet Sprinkel a Notary Public, in and for the City  
and State aforesaid, whose term of office expires on the  
19<sup>th</sup> day of Sept., 1934, P. B. F. Good,  
whose name is signed to the foregoing affidavit, and who,  
being duly sworn makes oath that the statements therein  
contained are true.

Given under my hand this first day of  
October, 1932.

Janet Sprinkel  
Notary Public

Filed in the Clerk's Office  
Rockingham County, Va.

SEP 9 1933

*J. Robert Suits* Clerk

COMER, JULIA L.  
123  
ROCKINGHAM COUNTY

IN RE. ARBITRATION AGREEMENTS submitted to the Governor arising in or out of Condemnation Proceedings pending in the Circuit Court of Virginia under authority of the Shenandoah National Park Act.

SUMMARY STATEMENT OF PETITIONER:

EXCEPTANT: Comer, Julia L.

ORIGINAL CLAIM: Acreage 27-1R.20p: Value \$1362: Inc. Damages, None

VALUE PLACED ON TRACT BY PETITIONER'S APPRAISERS:

<u>TRACT NO.</u>	<u>VALUE</u>	<u>INCIDENTAL DAMAGES</u>
123	\$287.00	None

BOARD OF APPRAISAL COMMISSIONERS FINDINGS:

MAP NUMBER OF TRACT: 123

VALUE OF TRACT:

<u>TRACT NO.</u>	<u>VALUE</u>	<u>INCIDENTAL DAMAGES</u>
123	\$260.00	None

The basic differences between Petitioner and this exceptant are as to the classification and value of the land and timber values.

As to the classification of the land and the other elements of value, we submit that these matters are correctly set forth in the Work Sheet of the Board with reference to this case, and not as set forth in exceptant's statements. This Work Sheet is filed with the record, and a copy of this Work Sheet is submitted with copy of the record tendered herewith, and additional copies of the Work Sheet in this case will be furnished if desired.

W. C. Armstrong  
W. C. Armstrong, Attorney  
for Petitioner

Subscribed to and verified before me this the 8th day of  
September, 1933.

Emma K. Stokes  
Emma K. Stokes, Notary Public

Re: Julia L. Cromer

13 acres

Claim # 123

State of Virginia,

City of Harrisonburg, to-wit:

J. L. Maiden, being first duly sworn, makes oath that he is fifty-nine years old, that he has lived at Swift Run all his life within one-fourth mile of the land of Julia L. Cromer, referred to in the above claim; and that he has known the said Julia L. Cromer land all his life; that said Julia L. Cromer land herein referred to is, in his opinion, worth at least fifty dollars (\$50.00) per acre, and that said price in his opinion is the fair market price thereof; that all of said land is suitable for cultivation; that no fertilizer is required for growing wheat thereon; that there is a young growth of good timber on a part of said land; that the whole of said tract is enclosed by a good woven fence; that said land is well watered.

Given under my hand this first day of October,  
1932.

J. L. Maiden

This day personally appeared before me \_\_\_\_\_  
P B F Good a Notary Public, in and for the City and State  
aforesaid, whose term of office expires on the 3rd day of  
Oct. Apr., 1935, J. L. Maiden, whose name is signed to the  
foregoing affidavit, and who, being duly sworn makes oath that the  
statements therein contained are true.

Given under my hand this first day of October,  
1932

P B F Good  
Notary Public

Re: Julia L. Cromer  
13 acres  
Claim # 123

State of Virginia,

City of Harrisonburg, to-wit:

G. W. Shifflett of Swift Run, Virginia,  
being duly sworn, makes oath that he is fifty-three years old,  
that he has known all his life the Julia L. Cromer property  
referred to in this claim, that he has lived <sup>near</sup> ~~on~~ said property  
for 40 years, as renter, farming on thirds; that he  
has lived in and about Swift Run, all his life; that said Julia  
L. Cromer land herein referred to is, in his opinion worth at  
least fifty dollars (\$50.00) per acre, and that said price in his opinion  
is the fair market price thereof; that during the past season he has  
raised on six acres of the said land thirty bushels of corn to the  
acre; that all of said land is suitable for cultivation; that no  
fertilizer is required for growing wheat thereon; that there is a  
young growth of good timber on a part of said land; that the whole  
of said tract is enclosed by a good woven wire fence; that said land  
is well watered.

Given under my hand this first day of October, 1932

G. W. Shifflett

This day personally appeared before me \_\_\_\_\_  
P B F Good a Notary Public, in and for the City and State afore-  
said, whose term of office expires on the 7th day of Oct. 1932.  
1932, G. W. Shifflett, whose name is signed to the foregoing affidavit,  
and who, being duly sworn makes oath that the statements therein contained  
are true.

Given under my hand this first day of October, 1932.

P B F Good  
Notary Public