ROCKINGHAM COUNTY CLAIMANT

NAME OF OWNER

#41 - Heard, J.T.

36 Number of Acres:

On Dry Run, cut by the boundary. Location:

5 miles country roads to Elkton. Roads:

Gravelly loam of good depth and average fertility. Soil: Practically all of the tract is on a gentle slope with a northwestern exposure.

History of Tract and condition of timber: Badly burned repeatedly and closely cut over about 20 years ago for stavewood and other products. On the lowerslopes there is a light stand of pitch-pine saplings up to 7" DBH. and very scrubby. Admixture of smaller hardwoods, mostly scrubby oaks. Plenty of reproduction. On the upper slopes there is a well stocked stand of larger pitch-pine up to 9" DBH. Very small admixture of hardwoods. Stand does not exceed 2 cords per acre. Improvements: Estimated to cut 72 cords.

IMPROVEMENTS :--- None .

Acreage and val	lue of types:		
Types	Acreage	Value per acre	Total Value
Ridge:		A. A. A.	
Slope:	36	@ \$4.00	\$144.00
Cove:		- +	
Grazing Land:			
Fields Restockir	ng:		
Cultivated Land	l:		· · ·
Orchard:			
Minerals:			,
Value of Land:	\$ 144.00		
Value of Impro	vements: \$		
Value of Orcha	rd: \$	me	36.00 tal \$180.00
Value of Miner	als: \$	10	tar #100.00
Value of Fruit:	: \$		1. N.
Value of Timbe	er: \$		
Value of Wood	: \$ 36.00		
Value per acre	for tract: \$ 5.	00	
Incidental dama	ages arising from th	ne taking of this tract: \$ None.	
		JEO. IN. BEN.	Z CLERK

55

ROCKINGHAM COUNTY

NAME OF CLAIMANT #41-a - Heard, J. T.

Number of Acres: 228

Location: Near Powell's Gap.

Roads: Two miles to Beldor, then two miles to Swift Run; thence four miles to Elkton.

Soil:

Sandy clay which is quite rocky with steep to moderate slopes and northeast and northwest slopes.

History of Tract and condition of timber: A small portion of the tract was cleared many years ago, but has been neglected for the past 10 years and is now grown up to pine. The wooded area has been cut over repeatedly. The present stand consists of mixed oaks and white pine.

Improvements: None.

Acreage and value of types: Types Acreage Value per acre **Total Value Ridge:** Slope: 212 Q \$5.00 \$1060.00 Cove: Grazing Land: 16 a 30.00 480.00 228 \$1540.00 **Fields Restocking: Cultivated Land:** 25.00 **Orchard:** 100.00 Minerals: \$1665.00 Value of Land: \$1540.00 Value of Improvements: \$ Value of Orchard: \$25.00 Value of Minerals: \$ Value of Fruit: \$ Value of Timber: \$100.00 Value of Wood: \$ Value per acre for tract: \$7.30

TEO. H. BEM CLERK.

56

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

REPORT ON THE ACREACE

of the

J. T. HEARD TRACT #41-a.

I was able to find no survey of this tract on the deed records.

I therefore made a field survey which, together with work done by the U. S. G. S., in locating roads and streams, located all of the boundaries of the tract except the line common to the Emma V. Gibbons Tract #230. As the deed for the Gibbons tract contains a survey, we used its calls for the common line.

Computing the acreage of the tract by using lines which we located, together with calls of the Gibbons tract, I get 228 acres for the J. T. Heard tract #41-a.

This is the acreage covered by the State's report.

Stoan

Chief Engineer, Park Service.

Claim of_ Cock ingham ____County, Virginia, No.____, At Law. In the Circuit Court of_ The State Commission on Conservation and Development of the State of Virginia, Peti-Atkins at als assandra. tioner. vs. more or less, of land in <u>Rochingham</u> County, Virginia, Defendants. The undersigned, in answer to the petition of the State Commission on Conservation and De-velopment 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 Kockinghum County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice. + stea My name is_____ Olton My post office address is_ I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about____7/__3.4. acres, on which there are the following on Dwilling buildings and improvements:_ 18ath 10. Acrl - Wchard. Containing 500 Improved upple Loves-5-0 Prache Tries ynn wood \$0 ._ Virginia, in This land is located about____2_ ____miles from_ the toneward 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.) Dole owner The land owners adjacent to the above described tract or parcel of land are as follows: North_ South East_ West LINIS I acquired my right, title, estate or interest to this property about the year____ 1 *P*in the following manner: I claim that the total value of this tract or parcel of land with the improvements thereon is \$_X000_____. 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 \$ 2000-_____acres of land adjoining the above described tract or I am the owner of____ 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_ _, 1930. UY. of__ STATE OF VIRGINIA, COUNTY OF an To-wit: The undersigned hereby certifies that I leave the above named claimant personally appeared before him and made oath that the matters Filled in the and things appearing in his above answer are true to the best of his knowledge and belief, --, 1930. FEB 18 1931 pliqu Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Loon

Clerk

190

It arrive at outre as follows The apple Reach Wes. and the society of The Dwilling Bark The Dwilling Bark 51 acres Instanting 60000 10000

we solution of the state of virginia, and in response to the notice of condemnation awarded upon the fling of said petition and published in accordance with the order of the Circuit Court of it with the order of the Courty, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

rearries the following right, title, estate or inizerst in the tract or parcel of land de scripted above: (In this space claimant should shy 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 of parcel of land described above.)

West 2 P Convict auquired my right title, estate or interest to this property shout the year 2 2 2 in

I claim that the total value of this tract or parcel of land with the improvements then n is \$. XCCO to and to this tract or parcel of land with the improvements thereon is \$. You

I am the owner of ______ neres of land adjoining the above described tract or area of land but lying outside the Park area, which I claim will be damaged by the pro-

(1) the space below should be set out any additional statements or information as this claim which claimant desires to make; and if practicable he should also insert never lescription of the tract or parcel of land by metes and bounder.

Carling of the second base of the second sec

nees my higharure for my name and mark attached herotol this

VIRGINIA, COUNTY OF a service of the service of the

The day of the test 1036 for the sub-

Dirrk of the Court, or Special Investigator , Notary Public, or Justice of the Peace

Claim of_ IdockinghunCounty, Virginia, No, At Law. In the Circuit Court of The State Commission on Conservation and Development of the State of Virginia, Petiassandra Athin + 6+al more or less, of land in 1000 might County, Virginia, Defendants. The undersigned, in answer to the petition of the State Commission on Conservation and De-velopment 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 how My County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice. My name is_____ 125 My post office address is. I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about_____acres, on which there are the following buildings and improvements:___ on This land is located about_____miles from__ -----Virginia, in the Stoneway 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.) traps borger Part of 2000 The land owners adjacent to the above described tract or parcel of land are as follows: North___ South East_ West_ I acquired my right, title, estate or interest to this property about the year_1920___in the following manner: Wadd Coit has Jurd in Outomonth 1910-1917 - Drouded Duc 1920 I claim that the total value of this tract or parcel of land with the improvements thereon is \$_600_____. 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 \$_60000 ___acres of land adjoining the above described tract or I am the owner of_____ 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: approximately 60 arres no Bhu we d m nec Continue remarks if necessary on the back). Witness my signature (or my name and mark attached hereto) this 1930. of__ hopen, To-wit: STATE OF VIRGINIA, COUNTY OF_ The undersigned hereby certifies that Ind u 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, Filed in the Clerk's Office Rockingham County, Vaday of There __. 1930.

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FEB 18 1931

Clo

lugh Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

on this tract which is well watered Show frequently Jaken Core of fifty head cettle the season -fifty head cettle the season of manying an annual income of oon 800 The part not in Blue grant is in Bushes + grass good by & Heard Busher + auth

This land is located about. Z. miles from

I daim the following right, title, estate or inferest in the tract or parcel of land de scribed stove: (In this space claimant should say whether he is sole owner or joint over and if joint owner give names of the joint owner. 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 of parcel of land described above.

The land owners adjacent to the above described tract or parcel of land are as follows: North

East.

I acquired my right, title, estate or interest to this property about the year. 1729 in the following manner:

I claim that the total value of this tract or parcel of land with the improvements there on is \$ 1022. 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 \$ 10555

posed condemnation of tands 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 mates and bounds).

Remarks: Mary Second Second

inter

Continue remarks if necessary on the back

Witness my signature (or my name and mark attachemicroso) this

TATE OF VIRGINIA, COUNTY OF

	& M Aland H
	im of the there
In	the Circuit Court of Rockinghum County, Virginia, No, At Law.
The	e State Commission on Conservation and Development of the State of Virginia, Peti-
tion	ner, vs. legs simidra Allins + Etgl
The vel upo	re or less, of land in <u><u><u>reckinghimm</u></u> County, Virginia, Defendants. e undersigned, in answer to the petition of the State Commission on Conservation and De- opment of the State of Virginia, and in response to the notice of condemnation awarded on the filing of said petition and published in accordance with the order of the Circuit art of <u><u>rechinghimm</u></u> County, Virginia, asks leave of the Court to file this</u>
as	his answer to said notition and to said notice
	My name is August My post office address is EUMAU
	I claim a right, title, estate or interest in a tract or parcel of land within the area sought
	be condemned, containing aboutacres, on which there are the following
bui	ldings and improvements:
Th	is land is located about 2/2 E miles from Ellifand Virginia, in Standard Magisterial District of said County.
and	I claim the following right, title, estate or interest in the tract or parcel of land de- ibed above: (In this space claimant should say whether he is sole owner or joint owner, d if joint owner give names of the joint owners. If claimant is not sole or joint owner, should set out exactly what right, title, estate or interest he has in or to the tract or
pa	rcel of land described above.)
	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
	The land owners adjacent to the above described tract or parcel of land are as follows:
	North
	South
	East
	West
fol	cquired my right, title, estate or interest to this property about the yearin the lowing manner:
Fr.	om mc hill
/	I claim that the total value of this tract or parcel of land with the improvements there-
	is \$_5-00 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 $\frac{200}{20}$ .
	I am the owner ofacres of land adjoining the above described tract or rcel of land but lying outside the Park area, which I claim will be damaged by the pro-
thi	sed 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 is claim which claimant desires to make; and if practicable he should also insert here a scription of the tract or parcel of land by metes and bounds).
	Remarks: This tract - Contine around \$2000
	But not with it - I has standing for ewest no clemed line - I has standing for ewest Jumber - (Continue remarks if necessary on the back)
¥	Jumber (Continue remarks if necessary on the back).
of	Witness my signature (or my name and mark attached hereto) thisday
ST	CATE OF VIRGINIA, COUNTY OF Melenghan A., To-wit:
Filed in the Clerk Rockingham Cotta	The undersigned hereby certifies that <u>August</u> e above named claimant personally appeared before him and made oath that the matters d things appearing in his above answer are true to the best of his knowledge and belief, s Office <u>August</u>
FEB 18 19;	
	-Clerk

County: Rockingham District: Stonewall

#41 - Heard, J. T.

C

Acreage Claimed:	Assessed:	77 A.	Deed: 77 A. Acquired in
Value Clained:	Assessed:	\$160.00	Deed: 1927 for \$1.00 and other
			considerations.

Location: On Dry Run, cut by the boundary.

Incumbrances, counter claims or laps: None.

Soil: Gravelly loan of good depth and average fertility. Practically all of the tract is on a gentle slope with a northwestern exposure.

Roads: Five miles country roads to Elkton.

History of tract and condition of timber: Badly burned repeatedly, and closely cut over about twenty years ago for stavewood and other products. On the lower slopes there is a light stand of pitch-pine saplings up to 7" DBH, and very scrubby. Admixture of smaller hardwoods, mostly scrubby oaks. Plenty of reproduction. On the upper slopes there is a well stocked stand of larger pitch-pine up to 9" DBH. Very small admixture of hardwoods. Stand does not exceed 2 cords per acre. Estimated to cut 72 cords at 50¢ per cord -- \$36.00.

Improvements: None.

Value of land Type Slope	Acreage	Value per acre \$4.00	Total Value \$144.00
Total value of	land		
Total value of	timber		
Total value of	tract	\$180.00	
Average value	per acre	\$5.00	

County: Rockingham District: Stonewall

#41-a - Heard, J. T.

essed 275 D	)e
111	issed 275

Value Claimed:

* \$550.00

Deed

12

Location: Near Powell's Gap.

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay which is quite rocky with steep to moderate slopes and northeast and northwest slopes.

Roads: Two miles to Beldor, then two miles to Swift Run; thence four miles to Elkton.

History of tract and condition of timber: A small portion of the tract was cleared many years ago, but has been neglected for the past 10 years and is now grown up to pine. The wooded area has been cut over repeatedly. The present stand consists of mixed oaks and white pine. It is estimated to cut an average of 300 bd. ft. per acre. Stavewood is now being cut -- 63,600 bd. ft. @ \$3.00-\$190.80.

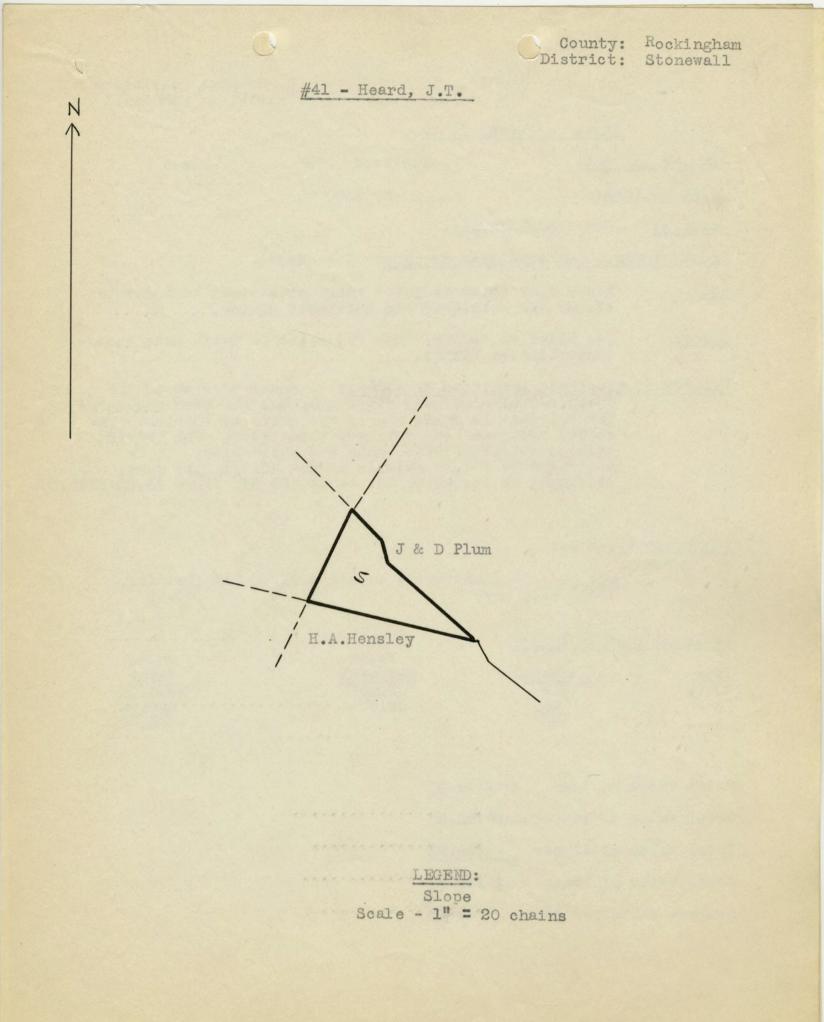
Improvements: None.

Value of land by types .

Orchard: 20 fruit trees valued @ \$1.00 per tree for \$20.00

	and the second second second second		
Type Slope	Acreage	Value per acre	Total Value
	212	\$3.00	\$636.00
Fg	16 228	20.00	320.00
	228		\$956.00

Total value of land\$956.00Total value of improvements20.00Total value of timber190.80Total value of tract\$1166.80Average value per acre5.11



web Ban Hamisouleur entral to of Claim of. vc prugl In the Circuit Court of_ M___County, Virginia, No.__ ...., At Law. The State Commission on Conservation and Development of the State of Virginia, Petito usual 1 60 tioner, vs._ more or less, of land in_flue ting an -- County, Virginia, Defendants. The undersigned, in answer to the petition of the State Commission on Conservation and De-velopment 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 tweeting bar Court of <u>County</u> County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice. Bauky the Monetime to an Mad My name is_ nou My post office address is__ I claim a right, title, estate or interest in a tract or parcel of land within the area sought 34 to be condemned, containing about__ -8_ ___acres, on which there are the following an aufoining troets artual alwest 11/2 buildings and improvements: (1) Two curt nown as the Sife, tand and the other of I amulto and poor a want of and the other first in more of less of the other to alt 21/2 mutes tant filleton mar was unles S.E. of Generis fa the onen Softwore E thomas can (2) 51 2 312 4,80 4 c- Hit tro (3) have we that frost This land is located about____ miles from Virginia, in __Magisterial District of said County. the 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.) the of trust live were to T. T. T. T. Stern me to show with the Sur & flow I and Gained C Court Trusters of Satz way Lotte 1979 Scouring Bauk of Ellotnid me and The land owners adjacent to the above described tract or parcel of land are as follows: North_ ve hughan Watcoust Bant Secur South The East Su DEEDIS West. 144 Jages 107-10 I acquired my right, title, estate or interest to this property about the year_____ _in the following manner: I claim that the total value of this tract or parcel of land with the improvements thereon is \$_____. 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 \$____ I am the owner of_____ _____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: Kesperite udgest time is the u cht - The sale of the a xtree au to to set an ho out le protectad ____ (Continue remarks if necessary on the back). Witness my signature (or my name and mark attached hereto) this. The Rockling Lan __, 1930. nah of_ men STATE OF VIRGINIA, COUNTY OF ..... The undersigned hereby certifies that C- 9. Have mind on looks 10 ve 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, 2 32 day of this__ ∠_, **193**Ø. arreal amen in much Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace 016 2 mls 113

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

23

E D

Claim of__ In the Circuit Court of_ Bochughan County, Virginia, No. 1829, At Law. The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Callandia Lauton Stand KC more or less, of land in Bachungham 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 hackingham County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice. My name is_//ee_bauk KO Ko My post office address is____ I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 200 acres, on which there are the following buildings and improvements:___ This land is located about _____ miles from Slipkon Virginia, in the four all 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.) aller or lave a full The land owners adjacent to the above described tract or parcel of land are as follows: North South East West_ the knowed of--I acquired my right, title, estate or interest to this property about the year__/_/// in the following manner: Leaves I. Heard Lauge all, Turtle, Raked May 10, 19 191 cosper I claim that the total value of this tract or parcel of land with the improvements thereon is \$_____. 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 \$_____ __acres of land adjoining the above described tract or I am the owner of_____ 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: The co derd gend Dow (Continue remarks if necessary on the back) Witness my signature (or my name and mark attached hereto) this Helinary, 1930. 200 STATE OF VIRGINIA, The undersigned hereby certifies that <u>hereby</u> <u>hereby hereby <u>hereby</u> <u>hereby</u> <u>hereby hereby <u>hereby</u> <u>hereby</u> <u>hereby hereby <u>hereby hereby hereby hereby <u>hereby hereby here</u></u></u></u></u> My Commission Expires Feb. 18 __day of___ this yer Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

2/13/3/

more or less, of land in <u>Society of the State County</u>, Virginia, Defendants. The undersigned in answer to the petition of the State Commission on Conservation and Dovelopment of the State of Virginia, and in response to the police of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of a secondance of the Circuit is descent of the Circuit in the order of the Circuit

is his answer to said petition and to said notice.

My post office address is

I claim a right, title, estate or interest in a tract of parcel of land within the area sought to be condemned, containing about *A C C* and which there are the following buildings and improvements:

I claim the following right, title, estate or interest in the tract or parcel of lami de seribed above: (In this spece 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 of parcel of land described above.)

The land owners adjacent to the above described track or parcel of land are as follows

South .....

.....

acquired my right, title, estate or interest to this property about the year. 2262, in the

Filed in the Clerk's Office Rockingham County, Va. FEB 1931

Clerk

### IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

VS.

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

Cassandra Lawson Atkins and others and 52,501 acres of land in Rockingham County.

OCT / 1932 J. Robert Switzer Clerk

To the Hon.H.W.Bertram, Judge of said Court. The motion of J.T.Heard, praying said Court to disapprove and to decline to accept the finding of the Board of Appraisal Commissioners, heretofore appointed by said Court in the above matter, wherein said Board reported, under No.41-a of its findings, as filed in the Clerk's Office of said Court, that the movant was only entitled to an average price of \$7.30 on the 228 acres which was there the subject of consideration.

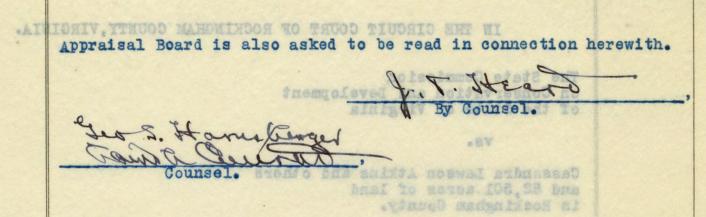
The grounds of said motion are as follows:

(1) That the price per acre allowed for said land is manifestly inadequate and confiscatory, because said lands are worth at least \$12.50 to \$15.00 per acre, as is shown by the affidavits attached hereto.

(2) That the finding of said Board was based upon a mistake of law as to the nature and effect of the evidence produced before said Board by the above named party.

(3) That the finding of said Board is, apparently, from the statements contained in its report, based upon the physical character of the land alone, without taking into consideration, or at least without giving any effect in its final decision to, the income-producing capacity of the land or to the fact that all such grazing lands in the Blue RidgeMountains are being taken under these condemnation proceedings, and that like grazing lands cannot be purchased for any such amount as allowed to the movant.

LAW OFFICES GEO. S. HARNSBERGER HARRISONBURG, VA. The affidavits attached hereto are asked to be read in support of these exceptions. The claim filed by movant before the



2.

The affidavit of J.T.Heard, to be read in connection with the motion filed by him to have the finding of the Board of Apprairal domnissioners disapproved in connection with its finding Wo. 41-a.

State of Virginia.

Soundy of Reckingham, to-wit;

Wills day J.T.Heard personally appeared before me, <u>A C. Marker</u>, a Metary Public in and for the County aforecald, in the State of Virginia, in my County aforecald, and, being sail aware, deposed and says:

stantic basi to serve USE to feers a to versus sit as I unereast it day, about the sales each of Beldor, on the weetern save at the Elde Hountaine, in the contemplated Fork area. to me out on howells time and band leetanget all active tes .evos reg 06.78 te esereve ne el dalde .00.275.00 This land is boog to serve of toods galvad , savare wot affective vilations set, and developed an evantation of the balance thereof. Thirty-five the tests have of suffice more should along said land from -reve files togooge that no ease while subset and the state of they and superstantion of the a same with the represent the insole of any second state of the second would be an average value of superstant tally gloude not anter the smout allowed by the appression mand in not the walks while at said land, nor is it the series wille of and the water seens conditions, for could LAW OFFICES rea veriess baid land for the second which the apprelet GEO. S. HARNSBERGER

HARRISONBURG, VA.

Appraisal Board is also asked to be read in connection herewith.

The affidavit of J.T.Heard, to be read in connection with the motion filed by him to have the finding of the Board of Appraisal Commissioners disapproved in connection with its finding to. 41-a.

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stiw-of .msmanian, to-wit:

This day J.T.Heard personally appeared before me, <u>And Manada</u>, e Metary Fublic in and for the County whoweveld, in the State of Virginia, in my County sforeshid, and, Weine duly sworn, deposes and says:

stantic basi to serve 822 to foort a to youwo all me I many parall's Gap. about two miles east of Beldor, on the sestern sers ine Blue Ridge Houstains, in the contemplated Fork area. to me and on beweifs the and brack feelergy, add dolly we 11.575.00, which is an average of \$7.30 per sore. This land is boon to seres of toods onlyed , anisers for elective villettree wer, and considerable grantar on the balance thereof. "hirty-five mori has blas nogs berutes need evad eftres is been strat at -reve filly income that no emas north smoonl and has , reav of yearand approximately \$175.00 a year, which would represent the insulsy exercise is ed bluew doidw .00.000.52 yleissizorggs no some out yo bewells income out such .eres req 00.818 yletamizoners is sporedeal Board is not the fair walks of said land, nor is it the market value of said land water normal conditions, por could AW OFFICES GEO. S. HARNSBERGER LEE LACE OCA OCA SERVICE STATES TO THE DESCRIPTION OF SERVICE HARRISONBURG, VA. · Be mo LIS AINIGHIV. YTEUCO MANDMINDON TO THURSTO SHE WI

Subscribed and sworn to The State Counterion before me this 30 th on Conservation and DeveloyeenoD no sinigally to state of the of September, 1932.

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dounty of Rodzingham, to-with

Cassandra Lawson abiling and and 58, 501 acros of 1000

th Restingers Ogunty.

UN 15 and here -qu TILABOSTA Yeb she manual notore and, all to Whet and A . a Motory Fablin the and for the County aforesaid, in the State of Virginia, in my teves and estareestd, and, being daily sworn, deposes and saves

I am well acometnied with the 288 acres of land owned by "Ison to notice aretase edf al . robled room efamile bracker. the base of the base of an informed that the Board of Atwith the second is the condemnation proceedings in the and even you lo we all breakly glass over al \$7.00 per sore and that has lo only toften this out the said the .basi bies the turd o vino dliny proloved therefore at anna and Misse was acres of said land is clear and in good sod, yet there is sonesternells granting on the other pertion of said land. It is hesister to bood 04 of 08 moul energ iike hast blass todd beve 25 per years, and that the impone from same would be seventy-inve assist to one dellar per menth. This land ander critenary denditions enve of to hasI error ved 00.212 of 00.214 word pairs binard LAW OFFICES D OBIGOT of Jonase animary, boo , boow , redail to referrence The high best on brack as wanth I 150 "

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GEO. S. HARNSBERGER HARRISONBURG, VA.

# IN THE CIRCUIT COURT OF ROCKINCHAM COUNTY, VIRGINIA.

The State Commission on Conservation and Development and sidt em erored of the State of Virginia

an in Same

VS.

Cassandra Lawson Atkins and others and 52,501 acres of land in Rockingham County.

The affidavit of MB angher to be

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Subseribed and sworp to

of September, 1932.

read in connection with the motion filed by J.T.Heard to have the finding of the Board of Appraisal Commissioners disapproved in connection with its finding No. 41-a.

State of Virginia,

County of Rockingham, to-wit:

This day _ 4 MB angher pearsonally ap-, a Notary Public peared before me, A & Wyant in and for the County aforesaid, in the State of Virginia, in my County aforesaid, and, being duly sworn, deposes and says:

I am well acquainted with the 228 acres of land owned by J.T.Heard situate near Beldor, in the eastern portion of Rockingham County, Virginia. I am informed that the Board of Appraisal Commissioners in the condemnation proceedings for the contemplated Park have only allowed the sum of \$7.30 per acre for said land, and this is not the fair market value of said land, nor could the same be replaced therefor. While only about 10 acres of said land is clear and in good sod, yet there is considerable grazing on the other portion of said land. It is believed that said land will graze from 35 to 40 head of cattle per year, and that the income from same would be seventy-five cents to one dollar per month. This land under ordinary conditions should bring from \$12.00 to \$13.00 per acre. Land of the same character of timber, wood, and grazing cannot be replaced for less The timber on tract is worth 150 -Moneral on this trail is work \$ 100000

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than the amount just above stated to issimnod stats adr inemployed bas stater anchi .84 subscribed and sworn to day of an inth netwol stbaseso before me this 20 in Rewitzgian Oqualy. September, 1932. The affidevit of 80 03 . Notary edt evad of Public. and in consoction with J. T. Meard finding of the Roard of Appreleal Commissioners disapproved in

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somestion with its finding No. 41-0.

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## IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

main Street and

Cassandra Lawson Atkins and others and 52,501 acres of land in Rockingham County.

The affidavit of

subserthed and sworn to

to be

read in connection with the motion filed by J.T.Heard to have the finding of the Board of Appraisal Commissioners disapproved in connection with its finding No.41-a.

State of Virginia,

vs.

County of Rockingham, to-wit: This day peared before me, peared before me, County aforesaid, in the State of Virginia, in my County aforesaid, and, being duly sworn, deposes and says:

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Subscribed and sworn to V before me this <u>30⁴</u> day of September, 1932.

Notary Public.

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and a postion related to the value of said land, and the

the sources to be benevered, to properly located apon the sec

LAW OFFICES GEO. S. HARNSBERGER HARRISONBURG. VA.

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IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

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

September, 1928.

DEC 2 1932 Robert Switzer Clerk

Cassandra Lawson Atkins and others, and, 52,561 acres, more or less, of land in Rockingham County, Virginia.

In response to the order entered in the above entitled case on the 25th day of October, 1932, <u>J. T. Heard</u>, respondent, says that the tract of land designated as <u>Tract 41 a</u> within the area sought to be condemned, is properly located upon the map filed in this matter, and is the identical land owned by respondent, and as to which respondent on October 1st, 1932, made motion praying that the Court disapprove and decline to accept the findings of the Board of Appraisal Commissioners appointed by the Court in the above matter.

Said motion related to the value of said land, and the bases of value, and not to the identity or location thereof, which was impliedly, if not expressly, then admitted to be as shown and delineated on the map filed in this matter, along with the report of the Board of Appraisal Commissioners.

+ T. Hear

By Counsel.

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STATEMENT

OF

L. L. Conrad, p.d.

J. T. HEARD

STATEMENT OF COSTS, POSTAGE, ETC.

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

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

SEP 9 1933 Aloherthhuityer Cherk

HEARD, J. T. 41 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:

EXCEPTANTS: H	arnsberger,	C. G. 8	k Jarma	an Heirs		
ORIGINAL CLAIM	: Acreage_		Value	\$1000.00	:Inc.	Damages
VALUE PLACED O	N TRACT BY F	PETITIO	NER'S A	APPRAISER	RS:	
TRACT NO.	VALUE		INC	CIDENTAL	DAMAGI	<u>es</u>
41	\$180.00	(fee)				
41	000	(Miners	al righ	nts)		

#### BOARD OF APPRAISAL COMMISSIONERS FINDINGS:

MAP NUMBER OF TRACT: 41

VALUE OF TRACT:

TRACT NO.	VALUE	INCIDENTAL DAMAGES
41	\$180.00	(fee)
41	000	(Mineral rights)

We do not concede that the exceptant has any mineral rights of any market value whatsoever in or under this tract, or that the mineral rights in or under this tract add anything to the value of the fee simple estate therein.

W.C. Armstrong, Attorney for Petitioner

Subscribed to and verified before me this the  $\frac{\mathscr{S}''}{\operatorname{day}}$  of September,

1933.

Enna St. V

Emma K. Stokes, Notary Public

HEARD, J. T. 41-a ROCKINGHAM COUNTY Filed in the Clerk's Office Rockingham County, Va.

SEP / 1933

Robert Smitzer Clerk

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.

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SUMMARY STATEMENT OF PETITIONER:

EXCEPTANT: Heard, J. T.

ORIGINAL CLAIM: Acreage 250 : Value \$6,000.00 : Inc.Damages, None

VALUE PLACED ON TRACT BY PETITIONER'S APPRAISERS:

TRACT NO.	VALUE	INCIDENTAL DAMAGES
41-a	\$1,166.80	None

BOARD OF APPRAISAL COMMISSIONERS FINDINGS:

MAP NUMBER OF TRACT: 41-a

VALUE OF TRACT:

TRACT NO.	VALUE	INCIDENTAL DAMA GES
41-a	\$1,665.00	None

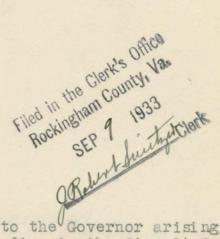
No statement filed by this land owner.

W. C. Armstrong, Attorney for Petitioner.

Subscribed to and verified before me this the <u>8</u> day of September, 1933.

Stokes, Notary Public. Emma K.

HEARD, J.T. #64-c GREENE 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: Heard, J. T.

 ORIGINAL CLAIM: Acreage - : Value \$ - : Inc.Damages, None

 VALUE PLACED ON TRACT BY PETITIONER'S APPRAISERS:

 TRACT NO.
 VALUE

 64-c
 \$6.00

#### BOARD OF APPRAISAL COMMISSIONERS FINDINGS:

MAP NUMBER OF TRACT: 64-c VALUE OF TRACT:

TRACT NO.	VALUE	INCIDENTAL DAMAGES
64-c	\$9.00	None

Copies of this statement are attached to the statement of Petitioner filed in the County in which the major portion of the land lies and in which this exceptant has filed his statement.

### Virginia: In the Circuit Court of Rockingham County.

At Law No. 1829.

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

V.

PETITIONER,

Cassandra Lawson Atkins and others and Fifty-two Thousand, Five Hundred and Sixty-one (52,561) Acres of land, more or less,

#### DEFENDANTS.

244

On this, the 4 day of January, 1934, came The Bank of Elkton, Incorporated, and The Rockingham National Bank of Harrisonburg, by counsel, and, on their motion, leave is given them to file their application for the payment to them of the sum of \$1,665.00, the amount of the award set out in the judgment of condemnation for tract No. 41-a, which tract formerly stood in the name of J.T.Heard, the amount thereof having been heretofore paid And it appearing to the Court, from the report of the into Court. Board of Appraisal Commissioners heretofore filed in this cause and in the petition for judgment of condemnation entered herein on the 2d day of November, 1933, that, in the opinion of the petitioner, the said J.T.Heard was invested with a superior or better right or claim of title in and to the said tract of land No. 41-a, and that the record of this cause does not disclose any denial or dispute by any party or person in interest as to the title to said tract No. 41-a or to the proceeds arising from the condemnation thereof. and that the said The Bank of Elkton, Incorporated, and The utits of Rockingham National Bank of Harrisonburg, to whom the said J.T.Heard conveyed said property, as set forth in their petition filed herein, are therefore entitled to receive the proceeds arising from the condemnation of said tract No. 41-a, and it further appearing to the Court that all taxes due or taxable upon said tract No.41-a have been paid, upon consideration whereof, it is considered and ordered by the Court that said sum of \$1,665.00 paid into Court by petitioner as just compensation for Tract No.41-a be paid unto

Geo. S. Harnsberger, Attorney for said Banks, 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 said Geo. S.Harnsberger, Attorney for said Banks, the said sum of \$1,665.00, the amount of the award set out in the judgment of condemnation for tract No. 41-a, taking from said Geo.S.Harnsberger,Attorney for said Banks, receipt therefor, and certifying such payment to the Clerk of this Court for appropriate entry thereof, as required by law.

HWB Judge.

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Enter.

Virginia: In the Circuit Court of Rockingham County.

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

PETITIONER,

V. At Law No. 1829.

Cassandra Lawson Atkins and others and Fifty-two Thousand, Five Hundred and Sixty-one (52,561) Acres of land, more or less,

DEFENDANTS.

TO THE HON. H.W. BERTRAM, JUDGE OF SAID COURT.

Your petitioners, The Bank of Elkton, Incorporated, and The Rockingham National Bank of Harrisonburg, Virginia, a corporation, respectfully represent:

That they acquired from Laird L. Conrad and Geo.S.Harnsberger as Trustees, by deed dated August 17, 1933, which deed is duly of record in the Clerk 's Office of Rockingham County, Virginia, in D.B. 155, at Page 441, among other tracts of land formerly belonging to J.T.Heard, a tract containing 225 acres, more or less, situate in Powell's Gap, Rockingham County, Virginia, on the western side of the Blue Ridge Mountains. An attested copy of said deed is herewith filed, marked "Ex.Deed," and prayed to be read as a part hereof.

That a judgment in rem has heretofore been entered in this proceeding, condemning to the use of the petitioner the fee simple estate in said tract of land formerly belonging to J.T.Heard, which tract is described in the report of the Board of Appraisal Commissioners appointed herein, and shown, numbered, and delineated on the County Ownership Map filed therewith as Tract No. 41-a, at the price of \$1,665.00.

That the said State Commission on Conservation and Development has paid into the custody of the Court the said sum set out in said judgment as constituting the award for the fee simple estate in the said tract of land.

That your petitioners, an the date of said judgment in rem condemning said tract of land, were the owners of said land under and by virtue of the aforesaid deed from Laird L.Conrad and Geo. S. Harnsberger, Trustees; that no other person or persons than the undersigned are entitled to share in the distribution of said award.

Your petitioners further show to the Court that all taxes against said property have been paid to and including the year 1933, and they herewith file certificates to that effect from M.H.Harrison, Treasurer of Rockingham County, and J. Robert Switzer, Clerk of the Circuit Court of Rockingham County, which certificates are prayed to be read as a part hereof.

Wherefore, your petitioners pray that they may be made parties herein and be allowed to file their petition in this proceeding; that an order may be entered in this proceeding for the distribution of said fund, and that your petitioners may have such other and further relief as the nature of the case may require.

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State of Virginia, City of Harrisonburg, to-wit:

This day C.G.Harnsberger personally appeared before me, F. Flavia Converse, a Notary Public in and for the City aforesaid, in the State of Virginia, in my City aforesaid, and, being duly sworn, deposes and says:

LAW OFFICES GEO. S. HARNSBERGER HARRISONBURG, VA.

I am the President of The Bank of Elkton, Incorporated, and also of The Rockingham National Bank of Harrisonburg. I have read the above petition, and state that the matters of fact therein contained are true.

Cytams Lergy

J. Flana Converse

Subscribed and sworn to before me this 4th, day of

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January, 1934.

STATE OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

I, J. Robert Switzer, Clerk of the Circuit County of Rockingham County do hereby certify that the records in my office do not show any delinquent taxes against the tract of 275 acres of land in Powells Gap, Stonewall District, assessed in the name of J. T. Heard.

Given under my hand this 3d day of January, 1934.

Aut Mhu f the Circuit Court of Rockingham

Clerk of the Circuit Court of Rockingham County, Virginia

LAW OFFICES GEO. S. HARNSBERGER HARRISONBURG. VA.

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# M. H. HARRISON

## TREASURER OF ROCKINGHAM COUNTY

HARRISONBURG, VIRGINIA

TO WHOM IT MAY CONCERN:

I hereby certify that the records of my office show that J. T. Heard has paid the taxes for the years 1932 and 1933 on his tract of 275-0-0 acres of land situate in the Blue Ridge Mountains in Stonewall District, Rockingham County.

All taxes prior to that time, if any be unpaid, are a matter of record in the Clerk's Office of said County.

Given under my hand this 3rd day of

January 1934.

M. H. Harrison, Treasurer By E. a. Right Deputy.



JOHN M. PURCELL TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE RICHMOND, VA.

January 6, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this <u>6</u> day of <u>January</u> in accordance with an order of the circuit court of <u>Rockingham County</u> dated <u>1/4/34</u> in the cause of the State Commission on Conservation and Development of the State of Virginia vs. <u>Cassandra Lawson Atkins</u> <u>Geo. S. Harnsberger Attorney for the said Bank of Elkton</u> paid to Inc. and the Rockingham National Bank, Harrisonburg, Va <u>\$ 1,665.00</u> being in full settlement of tract <u># 41-a</u> in the above mentioned cause.

Treasurer of Virginia.



JOHN M. PURCELL TREASURER OF VIRGINIA Commonwealth of Virginia

TREASURER'S OFFICE RICHMOND, VA.

January 6, 1934

<u>Geo. S. Harnsberger, Attorney for said</u> Bank of Elkton, Inc. and the Rockingham National Bank <u>Harrisonburg, Virginia</u>

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$1,665.00, in accordance with an order of the Circuit Court of the county of <u>Rockingham</u> entered on the <u>4th</u> day of <u>January</u> 1934, in the matter of the State Commission on Conservation and Development v______ <u>Cassandra Lawson Atkins</u> and others, being full and complete settlement for the tract of land known in said proceeding as #<u>41-a</u>.

Bank ·, and inghans destina Hassisoul

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