

ROCKINGHAM COUNTY

NAME OF CLAIMANT

#229 - Collier, Ashby J.

Number of Acres: 120

Location: Near Powell's Gap.

Roads: One and one-half mile over fair dirt road to Beldor; thence two miles to Swift Run; thence four miles to Elkton.

Soil: Sandy clay of fair depth and fertility in the cleared portions, and is very rocky in the wooded part. The slopes are steep to moderate with southwest exposure.

History of Tract and condition of timber: A small part of the tract was cleared many years ago, grazed and cultivated since. The wooded area has been cut over repeatedly. The present stand consists of mixed oaks and some pine.

Improvements: (See reverse side for Improvement information)

Acreege and value of types:

Types	Acreege		Value per acre	Total Value
Ridge:				
Slope:	104	@	\$3.00	\$312.00
Cove:				
Grazing Land:	2	@	20.00	40.00
Fields Restocking:	4	@	10.00	40.00
Cultivated Land:	<u>10</u>	@	20.00	<u>200.00</u>
	120			\$592.00

Orchard:

Minerals:

Value of Land: \$ 592.00 515.00

Value of Improvements: \$ 515.00

Value of Orchard: \$ 75.00 75.00

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$ 45.00 45.00

Value of Wood: \$ 50.00

Value per acre for tract: \$ 10.64 50.00

\$1277.00

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

Geo. N. Pen CLERK.

IMPROVEMENTS: Dwelling: Log 12x20', 4 rooms, porch 6x20', shingle and metal roof, brick and stone flues, 1½ story, log finish, fair condition, occupied by tenant.
Stable: Log 14x25x12', shingle roof, poor condition.
Corn house: Log 8x12x5', board roof, poor condition.
Hen house: Log, 10x14x6', board roof, fair condition.
Old granary: Frame 8x12x8', shingle roof, poor condition.
Old house: Log 18x25x12', 3 rooms, shingle roof, vacant, poor condition.

REPORT ON THE ACREAGE

of the

ASHBY J. COLLIER TRACT #229.

Collier's
Mr. ~~Ashby's~~ deed calls for 150 acres, from which he has sold 12 acres to Raleigh Morris, leaving him 138 acres, according to his deed.

However, all of the lines of this tract were located on the ground, either by our surveys or surveys made by the U. S. G. S.

A computation of the acreage made from these surveys gives 120 acres.

W. N. Sloan
W. N. Sloan,

Chief Engineer, Park Service.

Claim of Daniel Collier
In the Circuit Court of Rockingham County, Virginia, No. 1829, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. G. Atkins, and other

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 Daniel Collier

My post office address is Charlottesville, Virginia R. F. D. No. 1

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 52 acres, on which there are the following buildings and improvements: Dwelling house, barn, granary, corn house, wagon shed, chicken house, dairy.

This land is located about 1 $\frac{1}{2}$ miles from Swift Run, Va. 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.)

Sole owner

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

North B. F. Atkins and Geo. Lawson

South Amos Hensley

East Fred Shiflett

West Amos Hensley

I acquired my right, title, estate or interest to this property about the year 1920 in the following manner:

Bought from my father G. H. Collier

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 3500.00. 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 \$ 3500.00.

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: This tract has 97 apple trees, cherry, peach, and pear, etc.

This place is well fenced with American Wire fence and locust posts

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 16 day of Feb, 1930. Daniel Collier

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

The undersigned hereby certifies that Daniel Collier 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 16 day of Feb, 1930. Attorney

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

*Filed 2/16/31
J.F.B.*

NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Courts.

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.

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the
Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 229-----:
Tract No. -----: Tract No. -----;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, num-
bered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of
the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Award on Tract No. 229----- \$ 1277.00 on Tract No. ----- \$-----; on Tract No.
----- \$-----;

That the report of the said Board sets forth that the following named persons claim, or appear to
have a claim to an interest in the said tract(s) of land or in the proceeds arising from the condemnation
thereof;

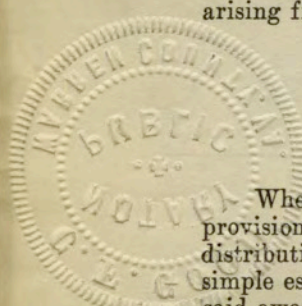
Ashby J. Collier

That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment
as constituting the award(s) for the fee simple estate in the said tract(s) of land;

That your undersigned, on the date of the said judgment in rem condemning the said tract(s) of
land, owned or was (were) entitled to the following interest in the said tract(s) or in the proceeds
arising from the condemnation thereof:—

By reason of contribution pledge, obligating the owner, Ashby
J. Collier, to give 5 acres of his land within the Park Area
fo the Park Project.

That no other person or persons than the undersigned are entitled to share in the distribution of the
said award(s) except the following named persons whose interest in said tract(s) or in the proceeds
arising from the condemnation thereof on the date of entry of said judgment was as follows:



Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the
provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the
distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee
simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the
said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to

receive, and which the undersigned aver(s) is as follows: Tract No. 229----- \$ 12.50-----: Tract
No. ----- \$-----: Tract No. ----- \$-----;

The undersigned further aver(s) that: (Leave this space blank unless there is some other perti-
nent matter to be brought specially to the attention of the court)

NAME

P. O. ADDRESS

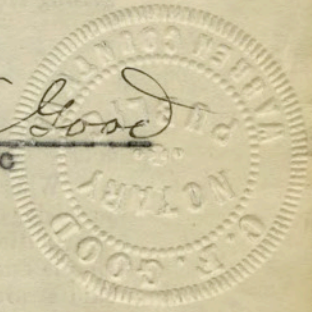
STATE COMMISSION ON CONSERVATION -----
& DEVELOPMENT -----
BY Robert Marshall -----

NOTE—A supply of this blank form has been placed in the Clerk's office for the convenience of interested
parties. No one is required to use this form, as the form is not prescribed by law, and claimants can
either change or modify it as they deem necessary, or present their motions in any form they may de-
sire which meets with the approval of the Court. This blank form may not and probably will not cover
all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject
to the approval of the court in each case.

STATE OF VIRGINIA)
COUNTY OF WARREN) SS

Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof having to do with claims of the Commission for distributive shares of condemnation awards in the Shenandoah National Park condemnation proceedings pending in the Circuit Courts of Virginia, by reason of contracts and agreements entered into with the owners of lands sought to be condemned in these proceedings, and that the within claim is just and correct.

Chas H. Good
NOTARY PUBLIC Notary Public
My Commission Expires Sep. 8, 1934





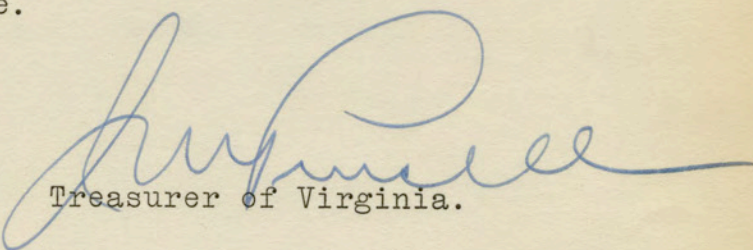
JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE
RICHMOND, VA.

June 11, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 11 day of June in accordance with an order of the circuit court of Rockingham County dated June 9th in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Herbert W. Wyant, Receiver in said cause of Russell G. Collier et als vs. Iris Collier Baugher, et als \$ 1,277.00 being in full settlement of tract # 229 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

June 11, 1934

Herbert W. Wyant, Receiver in said cause of Russell
G. Collier et al vs. Iris Collier Baugher, et als

Received of J. M. Purcell, Treasurer of
Virginia, the sum of \$1,277.00, in accordance
with an order of the Circuit Court of the county
of Rockingham entered on the 9th day
of ~~May~~ ^{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 # 229.

*Herbert W. Wyant Receiver
Chancery cause of Russell G. Collier
et al vs Iris Collier Baugher, et als.*

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

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County: Rockingham
District: Stonewall

#229 - Collier, Ashby J.

Acreage Claimed:

Assessed 150

Purchased

Deed/150 A. 1920

for \$1500.00; Sold 12 A.
1925 for \$180.00.

Value Claimed:

"\$790.00

Location: Near Powell's Gap.

Incumbrances, counter claims or laps: None known.

Soil:

Sandy clay of fair depth and fertility in the cleared portions, and is very rocky in the wooded part. The slopes are steep to moderate with southwest exposure.

Roads:

One and one-half mile over fair dirt road to Beldor; thence two miles to Swift Run; thence four miles to Elkton.

History of tract and condition of timber: A small part of the tract was cleared many years ago, grazed and cultivated since. The wooded area has been cut over repeatedly. The present stand consists of mixed oaks and some pine. It is estimated to cut an average of 8 cords of fuelwood per acre and 15,000 bd. ft. of pine and some oak.

624 cords valued @ 25¢	-----	\$156.00
15,000 bd. ft. valued @ \$3.00	-----	45.00
		<u>\$201.00</u>

Improvements:

<u>Dwelling:</u> Log 12x20', 4 rooms, porch 6x20', shingle and metal roof, brick and stone flues, 1½ story, log finish, fair condition, occupied by tenant, -----	\$400.00
<u>Stable:</u> Log 14x25x12' shingle roof, poor condition-	30.00
<u>Corn house:</u> Log 8x12x5', board roof, poor "	10.00
<u>Hen house:</u> Log 10x14x6', board roof, fair condition-	15.00
<u>Old granary:</u> Frame 8x12x8', shingle roof, poor "	5.00
<u>Old house:</u> Log 18x25x12', 3 rooms, shingle roof, vacant, poor condition -----	100.00
<u>Orchard:</u> 52 fruit trees valued @ \$1.00 each --	52.00
	<u>\$612.00</u>

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	104	\$2.50	\$260.00
Fg	2	15.00	30.00
Fc	10	15.00	150.00
Fr	4	5.00	20.00
	<u>120</u>		<u>\$460.00</u>

Total value of land	\$460.00
Total value of improvements	612.00
Total value of cordwood	201.00
Total value of tract	<u>\$1273.00</u>
Average value per acre	10.61

VIRGINIA. IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.
IN VACATION.

The State Commission on Conservation & Development,
of the State of Virginia, - - - - - Petitioner,

v.

Cassandra Lawson Atkins, et als, defendants.

In re: Distribution of proceeds of condemnation for Tract No.229
Ashby Collier, \$12.50.

This day came the State Commission on Conservation & Development by counsel, and moved the Court to enter an order directing the Treasurer of the State of Virginia, to pay to it out of the proceeds of condemnation of Tract No. 229, the sum of \$12.50, representing the amount of a certain pledge made by Ashby Collier, who claimed to be the owner of said tract, to said Commission on Conservation & Development, as a contribution for the establishment of Shenandoah National Park and in support of its said motion, the said Commission exhibited to the Court, its motion in writing setting forth all the facts in relation thereto, which has been heretofore filed herein.

Upon consideration whereof, it appearing to the Court, that the claim of said Commission is not based upon any lien either on the land condemned, or on the proceeds of condemnation and that said Commission has failed to obtain the consent of the parties entitled to the proceeds of condemnation, to the payment of its claim, it is accordingly adjudged and ordered that the motion of the Commission for the payment of said claim out of the proceeds of condemnation for said tract be and the same is hereby denied.

July 1935. The Clerk of the Circuit Court of Rockingham County, will enter the foregoing order upon the Common Law Order Book of his Court as a vacation order.

Given under my hand in vacation this 13 day of August, 1935.

H. W. Bestman
Judge, Circuit Court of Rockingham County,
Virginia.

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