

NAME OF CLAIMANT

#222 - Shifflett, Daniel

Number of Acres: 220

Location: East slope of High Top Mountain.

Roads: Two miles of rough steep road to Spotswood Trail near Swift Run Gap; thence six miles to Elkton.

Soil: Soil which is now cultivated is of good depth and fertility, while that of the rest of the tract is only of fair depth and poor fertility and exceedingly rocky.

History of Tract and condition of timber: A large portion of this tract was cleared many years ago, most of which has been grazed and cultivated since. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks with some dead chestnut.

Improvements: (See reverse side for Improvement information)

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	131	@	\$3.00	\$393.00
Cove:				
Grazing Land:	68	@	20.00	1360.00
Fields Restocking:				
Cultivated Land:	21	@	20.00	420.00
	<u>220</u>			<u>\$2173.00</u>

Orchard:

Minerals:

Value of Land: \$ 2173.00

Value of Improvements: \$ 630.00

630.00

Value of Orchard: \$ 100.00

Value of Minerals: \$

Value of Fruit: \$

100.00

Value of Timber: \$

Value of Wood: \$ 150.00

150.00

Value per acre for tract: \$ 13.87

\$3053.00

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

Geo. W. Penn CLERK.

NAME OF CLAIMANT

IMPROVEMENTS: Dwelling: Log and frame 16x18', 1½ story, shingle roof, 4 rooms, log finish, kitchen 10x12', occupied by owner, fair condition, spring, solid foundation.
Barn: Log and frame 14x16x10', shingle roof, fair condition.
Hen house: Frame, 10x12x5', shingle roof, fair condition.
Granary: Log 10x12x8', shingle roof, poor condition.
Dwelling: Log 12x16', 1½ story, shingle roof, stone flues, kitchen 8x16', (attached) 3 rooms, log finish, poor condition, occupied by tenant.
Stable: Log 12x14x10', shingle roof, poor condition.
Hen house: Log 5x7x4', shingle roof, poor condition.
Dwelling: Log 14x14', 1½ story, shingle roof, 3 rooms, log finish, stone flues, fair condition, occupied by tenant.
Stable: Log 10x18x8', shingle roof, fair condition.
Corn house: Log 6x10x7', shingle roof, poor condition.

History of Tract and condition of timber: A large portion of this tract was cleared many years ago, most of which has been grazed and cultivated since. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks with some dead chestnut.

Improvements: (See reverse side for improvement information)

Types	Acres	Value per acre	Total Value
Ridge:			
Slope:	131	\$3.00	\$393.00
Cove:			
Grazing Land:	88	20.00	1760.00
Fields Restocking:			
Cultivated Land:	21	20.00	420.00
Orchard:	230		\$218.00
Minerals:			
Value of Land:			\$218.00
Value of Improvements:			\$30.00
Value of Orchard:			\$100.00
Value of Minerals:			
Value of Fruit:			100.00
Value of Timber:			
Value of Wood:			150.00
Value per acre for tract:		\$12.87	\$3083.00

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

CLEAR

Claim of Daniel Shufflett
In the Circuit Court of Rockingham County, Virginia, No. 1, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. L.R. Atkins et al and 52.569 acres 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 Daniel Shufflett
My post office address is Smith Run

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 129 A. 3 Roads acres, on which there are the following buildings and improvements: 13 Houses - 3 Pkts - and other out buildings

This land is located about 6 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.)
Sole owner

The land owners adjacent to the above described tract or parcel of land are as follows:
North Gaines Morris
South M.D. Longley
East J.T. Halbert
West Admiral Dean Est.

I acquired my right, title, estate or interest to this property about the year 1901 in the following manner:
Heir decided their interest to me

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 3000.00. 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 \$ X.

I am the owner of No 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 \$ X.

(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 31st day of January, 1930.

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

The undersigned hereby certifies that Daniel Shufflett 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 31 day of Jan, 1930.

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

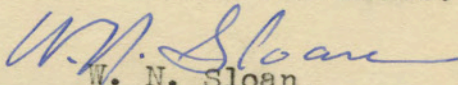
REPORT ON THE ACREAGE
of the
DANIEL SHIFLETT TRACT #222.

This tract is the residue of a $365\frac{3}{4}$ acre tract after there had been sold from it tracts of 150 acres, 48 acres, 10 acres and 20 acres. This would leave $137\frac{3}{4}$ acres owned by Daniel Shiflett according to his deed. Mr. Shiflett is assessed with $129\frac{3}{4}$ acres.

However, our field surveys located numerous corners of this tract, and traversed a part of the boundary.

A computation of the area of the tract made as a result of our field work gives 220 acres.

The state report calls for 232 acres.


W. N. Sloan,

Chief Engineer, Park Service.

County: Rockingham
 District: Stonewall

#222 - Shifflett, Daniel

Acreage Claimed: 129 A.3 R.

Assessed: 129 A- 120 P Deed: Purchased
 525 A. of land in 1898

Value Claimed: \$3000.00

" \$1070.00

(This difference was made in 1917, since that time Mr. Shifflett has sold out of this tract-150 A-48 A- 10 A and 20 A.)

Location: East slope of High Top Mountain.

Incumbrances, counter claims or laps: None known.

Soil: Soil which is now cultivated is of good depth and fertility, while that of the rest of the tract is only of fair depth and poor fertility and exceedingly rocky.

Roads: Two miles of rough steep road to Spotswood Trail near Swift Run Gap; thence 6 miles to Elkton.

History of tract and condition of timber: A large portion of this tract was cleared many years ago, most of which has been grazed and cultivated since. The wooded has been cut over repeatedly in the past. The present stand consists of mixed oaks with some dead chestnut. The wooded area is estimated to cut an average of 6 cords of fuelwood per acre, a great deal of which is not accessible. The amount of cordwood which is accessible is estimated @ 300 cords valued @ 50¢ -- \$150.00

Improvements:

<u>Dwelling:</u> Log and frame 16x18', 1½ story, shingle roof, 4 rooms log finish, kitchen 10x12', occupied by owner, fair condition, spring, solid foundation---	\$200.00
<u>Barn:</u> Log and frame 14x16x10', shingle roof, fair condition --	60.00
<u>Hen house:</u> Frame 10x12x5', shingle roof, fair condition--	15.00
<u>Granary:</u> Log 10x12x8', shingle roof, poor "	20.00
<u>Orchard:</u> 1 acre valued @ \$60. 00 per acre for trees only--	60.00
<u>Dwelling:</u> Log 12x16', 1½ story, shingle roof, stone flues kitchen 8x16', (attached) 3 rooms, log finish, poor condition, occupied by tenant --	75.00
<u>Stable:</u> Log 12x14x10', shingle roof, poor condition,	20.00
<u>Hen house:</u> Log 5x7x4', shingle roof, poor "	5.00
<u>Dwelling:</u> Log 14x14', 1½ story, shingle roof, 3 rooms, log finish, stone flues, fair condition, occupied by tenant --	100.00
<u>Stable:</u> Log 10x18x8', shingle roof, fair condition ,	25.00
<u>Corn house:</u> Log 6x10x7', shingle roof, poor condition,	10.00
	590.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	143	\$2.50	\$357.50
F g	68	8.00	544.00
F c	21	20.66	420.00
	232		1321.50

County: Rockingham
District: Stonewall

#222 - Shifflett, Daniel

Cont'd

Total value of land	\$1321.50
Total value of improvements	590.00
Total value of timber	<u>150.00</u>
Total value of tract	\$2961.00
Average value per acre	8.68

422

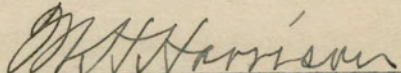
M. H. HARRISON
TREASURER OF ROCKINGHAM COUNTY
HARRISONBURG, VIRGINIA

To Whom It May Concern:

I hereby certify that the records of my office show that Daniel Shifflett has paid the taxes for the years 1932 and 1933 on his tract of 129-3-0 acres of land situate in the Blue Ridge Mountains, 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 18th day of December 1933.


Treasurer of Rockingham County.

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. 222:
Tract No. -----: Tract No. -----;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered, 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. 222 \$3053.00; 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;

self only

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:—

fee simple

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:

none

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. 222 \$3053.00 Tract No. ----- \$-----: Tract No. ----- \$-----;

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

NAME Daniel Shifflett P. O. ADDRESS Supt. Room
STATE OF VIRGINIA, COUNTY OF ROCKINGHAM, to-wit:

This day personally appeared before me Daniel Shifflett and made oath that ~~the statements contained in the above petition so far as made on his own information are true and so far as made upon information of others he believes them to be true.~~ Given under my hand this 18th day of December 1933.
Robert Smith, notary public

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 desire 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.

McLester J.P. Smith

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, et als, etc.

Defendants

On this, the 27th day of December, 1933, came
Daniel Shifflett, and on his motion leave is given him to file
his application for the payment to him of the sum of \$ 3053.00,
the amount of the award set out in the award of condemnation for
Tract No. 222, heretofore paid into 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 entered herein on the ____ day of November,
1933, that in the opinion of petitioner, the said Daniel Shifflett
is invested with a superior or better right or claim of title in and
to the said Tract of land No. 222, 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 the said Tract No. 222, or to the
proceeds arising from the condemnation thereof, and that the said
Daniel Shifflett is entitled to receive the proceeds arising
from the condemnation of said Tract No. 222, and it further appear-
ing to the Court that all taxes due or taxable upon said Tract No. 222
have been paid:

Upon consideration whereof, it is considered and ordered by
the Court that the said sum of \$ 3053.00 paid into Court by petition-
er as just compensation for Tract No. 222 be paid unto the said
Daniel Shifflett; 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 Daniel Shifflett the said sum of
\$ 3053.00, the amount of the award set out in the judgment of
condemnation for Tract No. 222, taking from the said Daniel
Shifflett a receipt therefor and certifying such payment to the
Clerk of this Court for appropriate entry thereof as required by law.

E. T. HUBB

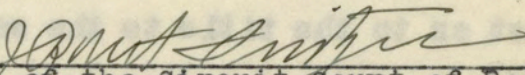
20/65

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 129 acres 3 roods and no acres assessed in the name of Daniel Shifflett, and situate in Stonewall District.

Given under my hand this 27th day of December, 1933.


Clerk of the Circuit Court of Rockingham
County - Virginia



Commonwealth of Virginia

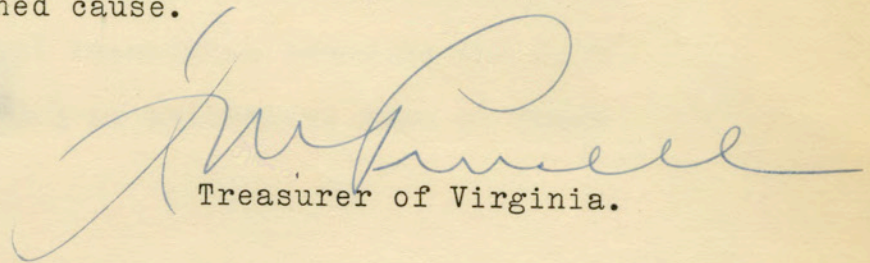
TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL
TREASURER OF VIRGINIA

December 29, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 29 day of December in accordance with an order of the circuit court of Rockingham County dated 12/27/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Daniel Shifflett, Swift Run, Virginia \$3,053.00 being in full settlement of tract # 222 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 29, 1933

Daniel Shifflett

Swift Run, Virginia

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 3,053.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 27th day of December 1933, 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 # 222 222

Witness

^{his}
Daniel X Shifflett
mark

J. E. F. Hughes

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

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. 222-----:

Tract No. -----: Tract No. -----;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered, 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. 222----- \$ 3053.00; 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;

Daniel Shiflett

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:—

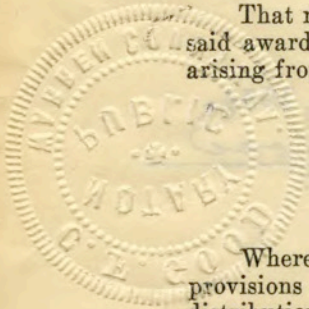
By reason of contribution pledge, obligating the owner, Daniel Shiflett, to give 10 acres of his land within the Park Area to the Park Project.

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. 222----- \$ 25.00---: Tract No. ----- \$-----: Tract No. ----- \$-----;

The undersigned further aver(s) that: (Leave this space blank unless there is some other pertinent 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 desire 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.

Note—This form is not to be filed until the record discloses that the awards have been paid into the custody of the Court.
Virginia: In the Circuit Court of Rockingham County
The State Commission on Conservation and Development of the State of Virginia
V. At Law No. 1830
Gussard Lawson Atkins and others, and Fifty-Two Thousand Five Hundred and Sixty-One (52,561) Acres of land, more or less
DEFTENDANTS
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. 222
Tract No. _____: Tract No. _____

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 dis-
tributive shares of condemnation awards in the Shenandoah
National Park condemnation proceedings pending in the Circuit
Courts of Virginia, by reason of contracts and agreements en-
tered into with the owners of lands sought to be condemned in
these proceedings, and that the within claim is just and cor-
rect.

Witness my signature this 8th day of January, 1934.

Chas H. Good

NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934



Therefore 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. 222 \$ 25.00 Tract
No. _____ \$ _____ Tract No. _____ \$ _____
The undersigned further avers(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 _____
F. O. ADDRESS _____
STATE COMMISSION ON CONSERVATION
DEPARTMENT
BY _____

Note—A copy of this blank form has been placed in the Clerk's office for the convenience of interested
parties. It is intended to be used in the form in which it is presented by law, and claimants can
make changes or modify it as they deem necessary or present their motion 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
to the approval of the court in each case.

VIRGINIA. IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.

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. 222.

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. 222, ^{the sum of \$25.00} representing the amount of a certain pledge made by Daniel Shiflett, who claimed to be the owner of said tract, to said State 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 condemn'd 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.

ant HUB

*20
370*

6/20/35