

ROCKINGHAM COUNTY
NAME OF CLAIMANT
#25 - Breeden, Doctor

Number of Acres: 1

Location: Mt. Pleasant Road adjoining Wesley and Amanda C. Breeden's property on South Naked Creek.

Roads: Six miles to Elkton over good mountain road.

Soil: Rocky, shaly loam of good fertility.

History of Tract and condition of timber: Old school lot completely cleared and at least one-half now grown up to oak and other hardwood brush too small for firewood.

Improvements:

None.

Acreeage and value of types:

Types	Acreeage	Value per acre	Total Value
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Ridge:

Slope:

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:	1	@ \$25.00	\$25.00
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Orchard:

Minerals:

Value of Land: \$25.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$25.00

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

Geo. H. Peni CLERK.

Claim of Porter Breeden
In the Circuit Court of Rockingham County, Virginia, No. _____, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. _____

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 Porter Breeden
My post office address is Elkton - 3

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 3 acres, on which there are the following buildings and improvements: partly cleared

This land is located about 5 1/2 miles from Elkton Virginia, in the Somerset 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.)

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

- North George Comand
- South Sarah Sensey
- East Alford C. Breeden
- West George Comand

I acquired my right, title, estate or interest to this property about the year 1926 in the following manner:

I paid 125.00 for the tract

I claim that the total value of this tract or parcel of land with the improvements thereon is \$60.00. 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 \$60.00.

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: _____

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 31st day of Aug, 1931.

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

The undersigned hereby certifies that _____ 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 Aug, 1931.

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

County: Rockingham
District: Stonewall

#25 - Breeden, Dr.

Acreage Claimed: 3 Assessed 147 2. Deed 1 A.
Value Claimed: \$60.00 " \$60.00 " Acquired 1918 for \$125.00.

Location: Mt. Pleasant road adjoining Wesley and Amanda C. Breeden's property on South Naked creek.

Incumbrances, counter claims or laps: None.

Soil: Rocky, shaly loam of good fertility.

Roads: Six miles to Elkton over good mountain road.

History of tract and condition of timber: Old school lot completely cleared and at least one-half now grown up to oak and other hardwood brush too small for fire-wood.

Improvements: None.

Acreage and value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per A.</u>	<u>Total Value</u>
Slope	1	5.00	5.00

Total value of tract \$5.00.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

427

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

vs.

Cassandra Lawson Atkins, and others

On this, the 6 day of December, 1935, came Doctor Breeden and on his motion, leave is given him to file his petition, and it appearing to the Court that \$25.00 is the amount of award set out in the judgment of condemnation for Tract No. 25, 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 heretofore filed herein, that in the opinion of petitioner, the said Doctor Breeden is invested with a superior or better right or claim of title in and to said Tract No. 25; and that the record of this cause does not show any denial or dispute by any party or persons in interest as to the said tract or to the proceeds arising from the condemnation thereof; and it further appearing to the Court that all taxes due or assessable on said Tract No. 25, have been paid and there are no liens of record against said real estate;

Upon Consideration Whereof, it is adjudged and ordered by the Court that said sum of \$25.00 paid into Court as just compensation for said Tract No. 25, be paid to the said Doctor Breeden and the Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay to the said Doctor Breeden the sum of \$25.00, the amount of award set out in the judgment of condemnation of said tract of land, taking from said Doctor Breeden a receipt therefor and certifying such payment to the Clerk of this Court for appropriate entry thereof, as required by law.

Enter:

HMB Judge

no / 427

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

State Commission on Conservation
and Development of the State of Virginia

Petitioner

vs.

Cassandra Lawson Atkins and others

Respondents

The petitioner, the State Commission on Conservation and Development of the State of Virginia, on the ____ day of December, 1933, having paid into Court the sum of \$25.00, the amount of award set out in the judgment of condemnation for Tract No. 25, the undersigned, Doctor Breeden, hereby applies to the Court, or to the Judge thereof in vacation, for an order of judgment for the distribution of said sum of \$25.00 to the said Doctor Breeden, on the ground that it appears from the report of the Board of Appraisal Commissioners, heretofore filed, and the said petition for judgment and condemnation, that the undersigned, in the opinion of petitioner, is invested with the superior or better right or claim of title in and to said tract of land No. 25, and, therefore, to the proceeds arising from the condemnation thereof, and is entitled to receive the proceeds arising from the exappropriation of said Tract No. 25.

That the said Doctor Breeden, your petitioner, is the sold owner of said tract or parcel of land, situate on the western slope of the Blue Ridge Mountains in the eastern part of Stonewall District, Rockingham County, Virginia, which land he acquired from School Board of Stonewall District, Rockingham County, Virginia, by deed dated June 1, 1918, which deed is duly of record in the Clerk's Office of said County in Deed Book No. 111, at page 276, an office copy of said deed is filed herewith, marked Exhibit Deed, and is prayed to be read as a part hereof.

The undersigned avers that the record in this suit does not disclose any denial or dispute by any party or person in interest as to the title to said Tract No. 25, or to the proceeds arising from the condemnation thereof, and the said statement in petition of

condemnation as to the title of the undersigned is true.

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

That there are no liens of record against said real estate.

And that the undersigned has title in fee simple and prays the Court that it will order and direct the payment of said sum of \$25.00 to the undersigned.

Doctor Breeden

State of Virginia,

County of Rockingham, to-wit:

I, A. E. Hyant, a Notary Public of and for the County of Rockingham, in the State of Virginia, do certify that on this the 4 day of December, 1935, personally appeared before me in my said County, Doctor Breeden, and made oath that the statements claimed in the foregoing petition are true.

Given under my hand this 4 day of December, 1935.

A. E. Hyant
Notary Public

Herbert W. Hyant
Attorney

COPY

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This Deed made this the 1st day of June, 1918, by and between the School Board of Stonewall District, District No. 1 of the County of Rockingham, Virginia, party of the first part, and Doctor Breeden, of the second part,

W I T N E S S E T H :

That for and in consideration of the sum of One Hundred and Twenty-Five Dollars cash in hand paid to the said School Board by the said Doctor Breeden, the receipt whereof is hereby acknowledged, the said School Board doth hereby grant and convey to the said Doctor Breeden the old Maple Springs School lot and house; with covenant of general warranty of title, lying and being in the eastern part of the County of Rockingham, Virginia, Stonewall District, and bounded as follows, to-wit: Beginning at a stone near the road, thence N 63 W 16 poles to a Spanish oak, thence N 34 3/4 E 8 poles to a stone near a chestnut, red oak and pine, thence S 57 E 17 poles to a stone, thence S 40 3/4 W 7 3/4 poles to the point of beginning, and containing about 3 Roods and 27 Poles, and it being that said lot conveyed to the School Board of Stonewall District by Robert B. Hensley and wife by deed of December 2, 1882, and of record in the Clerk's Office of Rockingham County, Virginia, in Deed Book number 23, at page 260, reference to which is hereby made for more particular description.

Witness the following signatures and seals.

A. S. Bader Chairman	(Seal)
Jno. F. Miller Clerk	(Seal)
I. L. Flory	(Seal)

Virginia,

County of Rockingham, to-wit:

I, E. P. Lineweaver, a Notary Public for the County and State aforesaid do certify that A. S. Bader, John F. Miller and I. L. Flory whose names are signed to the writing hereto annexed bearing date on June 1, 1918; have signed and acknowledged the same before me in my County aforesaid.

"Exhibit Deed"

2.

Given under my hand this the 4th day of June, 1918.

My commission expires Aug. 13, 1919. E. P. Lineweaver, Notary Public

VIRGINIA: In the Clerk's Office of the Circuit Court of Rockingham County. November 22, 1918. THIS DEED from School Board of Stonewall District to Doctor Breeden was this day presented in the office aforesaid and is together with the certificate of acknowledgment annexed, admitted to record.

Teste:

J. F. Blackburn, Clerk

THIS IS TO CERTIFY that the taxes for the year 1933 on the tract of Mountain land, containing 3R. + 27P. acres and designated in the Park Condemnation suit as Tract No. 25-, situate in Rockingham County, Virginia, and assessed in the name of _____

Docton Breedens

have been paid.

Given under my hand this 6th day of December, 1935.

M. H. Harrison

Treasurer of Rockingham County, Virginia.

Certificate of Treasurer

TO WHOM IT MAY CONCERN:

This is to certify that the records in my office do not show any delinquent taxes against the tract of Mountain land, containing 3R + 27P acres and known and designated in the Park Condemnation Suit as No. 25-, situate in Rockingham County, Virginia, said tract of land standing in the name of Docton Breedens.

Given under my hand this _____ day of December, 1935.

J. Robert Switzer
Clerk of the Circuit Court of Rockingham
County, Virginia.

By Margaret Brannon D.C.

Certificate of Clerk