

NAME OF CLAIMANT

#372 - Kite, G. Luther

Number of Acres: 264

Location: Dean Mountain. This tract is entirely within the Park area.

Roads: Seven miles to Elkton over five miles of county road and two miles of macadam.

Soil: Slope.

History of Tract and condition of timber: This tract has been culled and cut over reasonably close. Basswood and second growth red oaks are the predominating species left on this tract.

Improvements: --DWELLING-- Frame, 14x20<sup>+</sup>, 2 rooms, no porch, no flues, just rough paper, poor condition, occupied by tenant.

Spring water supply. No cellar.

STABLE--Dilapidated concrete - No value.

STEAM CHEST--Formerly used in connection with a stave mill.

TIMBER-----300,000 bd.ft.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope: ---	263	@	\$3.00	\$789.00
Cove:				
Grazing Land: --	1	@	25.00	25.00
Fields Restocking:				<u>\$814.00</u>
Cultivated Land:				
Orchard:				
Minerals:				
Value of Land: \$	814.00			
Value of Improvements: \$	175.00			175.00
Value of Orchard: \$				
Value of Minerals: \$				
Value of Fruit: \$				
Value of Timber: \$	450.00			450.00
Value of Wood: \$				<u>\$1439.00</u>
Value per acre for tract: \$	5.45			

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

*Geo. H. Penz*  
 \_\_\_\_\_  
 CLERK



NAME OF CLAIMANT

Number of Acres: 60 # 372-I - Kite, G. Luther (Lap on Sallie A. Kite)

Location: On the upper west slope of the Blue Ridge North of Cucumber Spring.

Roads: A steep mountain road leads from this tract to Maple Spring School House. About half the remaining distance to Elkton is over an unimproved dirt road before reaching a macadam road.

Soil: Clay loam of medium depth and fertility.

History of Tract and condition of timber: All merchantable timber has been removed. About half the tract was cleared years ago for grazing but most of it is now too brushy to be considered sod land.

Improvements: None.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope: --	30	@	\$3.00	\$90.00
Cove:				
Grazing Land: --	3	@	15.00	45.00
Fields Restocking:	27	@	5.00	135.00
Cultivated Land:	60			\$270.00

Orchard:

Minerals:

Value of Land: \$ 270.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 4.50

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

*Geo. H. Perry*



Claim of \_\_\_\_\_  
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. Cassandra Lawson Adkins and Others and 52561 acres

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 Bickers Motor Company  
My post office address is Stanardsville ~~the proceeds~~ Greene County, Va

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 348 acres, on which there are the following buildings and improvements: \_\_\_\_\_

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

I claim the following right, title, estate or interest <sup>in the proceeds of</sup> 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.)

#132.76 with interest thereon from August 10, 1926, until paid and \$15.70 costs.

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

- North \_\_\_\_\_
- South \_\_\_\_\_
- East \_\_\_\_\_
- West \_\_\_\_\_ <sup>in the proceeds of</sup>

I acquired my right, title, estate or interest <sup>recovered</sup> to this property about the year 1926 in the following manner: Judgment August 28, 1926, duly docketed May 31, 1929 in Judgment Lien Docket 14 at page 145

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 \$as set out above.

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 18th day of February, 1930.

STATE OF VIRGINIA, COUNTY OF Harrisonburg, To-wit: Bickers Motor Co

The undersigned hereby certifies that Edith, duly for 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 18th day of February, 1930.

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

Filed in the Clerk's Office  
Rockingham County, Va.  
FEB 18 1931

Clerk

sump by P. Luther Kite



1  
2

See all file  
labelled Park  
Answers.



County: Rockingham  
District: Stonewall

#372-I - G. Luther Kite Lap on  
Sallie A. Kite

Acreage Claimed: Assessed: In Greene County Deed:  
Value Claimed: Assessed: " " " Deed:

AREA: 60 Acres

Location: On the upper west slope of the Blue Ridge north  
of Cucumber Spring.

Incumbrances, counter claims or laps: This is an apparent lap of  
a tract claimed G. Luther Kite on a tract claimed by  
Sally A. Kite.

Soil: Clay loam of medium depth and fertility.

Roads: A steep mountain road leads from this tract to  
Maple Spring School House. About half the re-  
maining distance to Elkton is over an unimproved  
dirt road before reaching a macadam road.

History of tract and condition of timber: All merchantable timber  
has been removed. About half the tract was cleared  
years ago for grazing but most of it is now too brushy  
to be considered sod land.

Improvements: None.

Value of land by types:

<u>Type:</u>	<u>Acreage:</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	30	\$3.00	\$90.00
Fr	27	5.00	135.00
Fg	3	10.00	30.00
	<u>60</u>		<u>\$255.00</u>

Total value of land: \$255.00  
Total value of tract: \$255.00

Average value per acre: \$4.25



County: Rockingham  
District: Stonewall

#372 - Kite, G. Luther

<u>Acreage Claimed</u>	Assessed: Not assessed	Deed
<u>Value Claimed:</u>	Assessed: " "	Deed:
<u>Location:</u>	Dean Mountain. This tract is entirely within the Park area.	

Incumbrances, counter claims or laps:

Soil: Slope.

Roads: Seven miles to Elkton over five miles of county road and two miles of macadam.

History of tract and condition of timber: This tract has been culled and cut over reasonably close. Basswood and second growth red oaks are the predominating species left on this tract.

Improvements:

<u>Dwelling:</u>	Frame, 14x20', 2 rooms, no porch, no flues, just rough paper, poor condition, occupied by tenant. Spring water supply- no cellar. - - -	\$150.00
<u>Stable:</u>	Dilapidated concrete	No value.
<u>Steam chest-</u>	formerly used in connection with a stave mill.	
<u>Timber:</u>	300,000 bd.ft. @ \$1.50 per M.--	\$450.00

Value of land bytypes:

<u>Type:</u>	<u>Acreage:</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	263	\$3.00	\$789.00
Fc	<u>1</u>	15.00	<u>15.00</u>
	264		\$804.00

Total value of land:	\$804.00
Total value of improvements:	150.00
Total value of timber:	450.00
Total value of tract:	<u>\$1404.00</u>
Average value per acre:	\$5.32



THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT IN THE STATE OF VIRGINIA

VS.

CASSANDRA ATKINS AND OTHERS, AND FIFTY TWO THOUSAND FIVE HUNDRED AND SIXTY ONE (52,561) ACRES OF LAND IN ROCKINGHAM COUNTY.

To the Honorable H. W. Bertram, Judge of the Circuit Court of Rockingham County.

The Petition of G. Luther Kite respectfully represents:

THAT he is the owner in fee simple of three tracts of land; one known as the Dan Eppard tract, the other<sup>a</sup> the Bluford Lam tract, and the other Emanuel Dean tract of land, lying and being the Blue Ridge in Stonewall District of Rockingham County and containing Three Hundred and Twenty Five Acres, being tracts No. \_\_\_\_\_ and \_\_\_\_\_ as they appear upon the plat filed in the Clerk's Office of Rockingham County of the land proposed to be taken for Park purposes.

Your Petitioner excepts to the said report of the Appraisal Board and objects thereto upon the grounds that the Commissioners of Appraisal failed to allow Exceptant one-third of the value of the property they propose to take. The land is of a nature to take blue grass and one hundred and fifty acres out of three hundred and twenty five is worth Thirty Dollars per acre. It will cost, and Petitioner will undertake to clear it for Five Dollars an acre leaving<sup>the</sup> net value of this piece of land, Three Thousand Seven Hundred and Fifty Dollars. One hundred and seventy-five acres, the remainder, ~~that~~ is worth at the lowest Ten Dollars per acre, making a valuation of One Thousand Seven Hundred and Fifty Dollars, a total valuation of the property to complainant of Five Thousand Five Hundred Dollars. The Board of Appraisal Commissioners estimated the value of improvements at One Hundred and Seventy Five Dollars and the wood on the land at Four Hundred and Fifty, and with these allowances for the improvements and the timber on the land, they only allowed Petitioner

Filed in the Clerk's Office  
Rockingham County, Va.  
SEP 30 1932

*G. Luther Kite*



One Thousand Four Hundred and Thirty Nine Dollars which as herein-  
before stated is less than one-third of its value.

AND in support of this Exception, Exceptant refers to the amount  
allowed Mrs. Victoria Meadows which is three times the amount per  
acre allowed Petitioner and <sup>whose lands</sup> adjoins his land and is <sup>of</sup> the same general  
character of land.

Your Petitioner declines to accept the amount allowed him and  
asks the Court to give him a hearing before a Jury or the Court to  
the end that justice be done him. To take the land at their  
valuation really amounts to a confiscation of his property and he  
most seriously objects thereto.

Petitioner therefore prays that he be permitted to file his  
Exception to the report of the Board of Appraisal Commissioners and  
be granted the privilege to lay his case before the Jury or Court,  
and will ever pray, etc.

G. Luther Kite  
By Counsel

[Signature]  
Counsel

VIRGINIA,

CITY OF HARRISONBURG, To-wit:

I, Bessie M. Cooke, a Notary Public in and for the City of  
Harrisonburg in the State of Virginia, do certify that G. Luther Kite  
whose name is signed on the margin hereof for the purpose of identi-  
fication, this day personally appeared before me and made oath that  
the facts stated in the foregoing Petition or Exception are true.

Given under my hand this 30th day of september, 1932.

Bessie M. Cooke  
Notary Public.

*G. Luther Kite*



Simon & H. L. White -

Walter Rhoads.

John Evans

Bud Liskay

Earl Smith

J. Grew Weaver

C. C. Chubbuck

Berford Lane

Earl Borden

W. M. Shifflett

#

Harold Humeel  
city



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

PETITIONER,

vs.

At Law, No. 1829.

Cassandra Lawson Atkins and others,

DEFENDANTS.

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

Your respondent respectfully represents that a notice has been given him by The State Commission on Conservation and Development of the State of Virginia that it will move the Circuit Court of Rockingham County on the 28<sup>th</sup> day of February, 1934, for the entry of a judgment in rem, condemning, among others, the tract of land therein listed as No. 372-I, the property of your respondent, and directing any and all parties of record in this proceeding, if they desire to oppose the entry of said judgment in rem, to show cause, if any they have, in writing, filed with the record of this proceeding not later than five days prior to the 28<sup>th</sup> day of February, 1934, why the said judgment in rem should not be entered.

That your respondent has no objection to the condemnation of said Tract No. 372-I, but that he does object to the value found therefor by the Board of Appraisal Commissioners.

That he has heretofore submitted to arbitration, pursuant to the arbitration agreement proposed by the Governor of Virginia on July 18, 1933, all questions as to damages and value of the land and the improvements sought to be condemned by the State Commission on Conservation and Development of the State of Virginia, and he now prays that the value of said land and improvements, as ascertained by said arbitration, be allowed and entered in said judgment in rem in the place of the amount found by the Appraisal Board.

Callie S. K. [Signature]  
By Counsel.

GEO. S. HARNSBERGER  
Counsel.

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

FEB 7 1934

J. Robert Hunter  
Clerk



THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

You are hereby commanded to summon Wade H. Rhodes, John Mouse, Bud Liskey, Cal Turner, J. G. Weaver, C. C. Clinedinst, Bluford Lam, and Cal Breeden, <sup>r. N. M. Shifflett</sup> to appear before the Board of Arbitrators, at the Court House of Rockingham County, Virginia, on Tuesday, the 9th day of January, 1934, at 10 a. m., to testify and the truth to say on behalf of the ~~Commonwealth~~ Defendant in the condemnation proceedings of State Commission on Conservation and Development of the State of Virginia v. G. Luther Kite.

And have them and there this writ.

IN WITNESS WHEREOF, I hereunto set my hand, as Clerk of the Circuit Court of Rockingham County, Virginia, at the Court House thereof, this, the 6th day of January, 1934, and in the 158th year of the Commonwealth.

Robert Shifflett, Clerk.  
By Margie Bauers, D.C.

executed \_\_\_\_\_ by delivering a true copy of the

copy to below

within summons to \_\_\_\_\_

in person

of the within summons to \_\_\_\_\_

executed \_\_\_\_\_ by delivering a true copy



Executed Jan, 8 1934 by delivering a true copy of the within summon to Cal Breeden, Cal Turner, J.G. Weaver, and Bluford <sup>M. M. Sheffield</sup> each in person.

W. L. Neal Deputy for C.R. Fawley, S.R.C.

Executed Jan 8-1934 by delivering a true copy

of the within summon to Bud Baker  
John Mays C. C. Chindress  
Ward Rhodes

each in person. C. R. Fawley S.R.C.

*[Faint mirrored text, likely bleed-through from the reverse side]*

any in the year 1934 of the commonwealth  
of the Court House thereof, this the 8th day of January, 1934,  
as Clerk of the Circuit Court of Rockingham County, Virginia,

IN WITNESS WHEREOF, I hereunto set my hand

and have thereunto set my seal.

W. L. Neal  
Commissioner of Conservation and Development  
State of Virginia  
Chas. A. Hammond  
1934  
Jan. 9

TO THE SHERRIFF OF ROCKINGHAM COUNTY, VIRGINIA

THE COMMONWEALTH OF VIRGINIA:



VIRGINIA, IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.

THE STATE CORPORATION COMMISSION ON CONSERVATION  
AND DEVELOPMENT OF THE STATE OF VIRGINIA

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

NOV 9 1932

v.

CASSANDRA LAWSON ATKINS and others, and 53,561  
acres, more or less, of land in Rockingham County,  
Virginia.

*J. Robert Hunt* Clerk

Statement made this 8th day of November, 1932, by G. Luther  
Kite, in response to an order entered in the above entitled  
cause on October 25, 1932.

Your respondent says that he is the owner of three tracts of land ag-  
gregating 325 acres, which stand on the records in the name of ~~Sam Eppard~~ <sup>G. L. Kite and</sup> Blu-  
ford Lam and ~~Samuel Dean~~, and are known as Tracts Nos. 372, 372J and  
372K. Your petitioner prays that his exceptions be sustained and refers  
specifically to the plat filed by the Board of Appraisal Commissioners and the  
exceptions filed by exceptant for a more particular description of the land here-  
in conveyed. Said lands adjoin the lands of Sallie A. Kite and others, and lie  
near the Greene County line about seven or eight miles east of Elkton, in Rock-  
ingham County.

And having fully answered, respondent prays that his exceptions to the  
report of the said commission be sustained, and he will ever pray, etc.

*G. Luther Kite*  
Counsel

*G. Luther Kite*  
By Counsel



JAN 6 1934

*J. Robert Lutz* Clerk

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

Vs.

Cassandra Lawson Atkins and 52,561 Acres of Land, More or Less,  
in Rockingham County, Virginia.

Statement of G. Luther Kite, filed with his exceptions  
to the allowance for tracts 372 and 372-1, for the information  
of the arbitrators, as to the valuation of the lands claimed by  
exceptant, and items which go to make up the valuation which he  
places upon his land.

The appraisers estimated that there was upon these two  
tracts of land 300,000 feet of lumber, which is not far wrong.  
The valuation of the timber, measured by the lumber, estimate  
is only \$1.50 per thousand, utterly ignoring the wood for fuel  
purposes upon the land.

Your exceptant, who is a practical saw mill and stave  
man, avers that 100,000 feet of the timber is worth at the least  
\$15.00 per thousand, as it will make first class staves selling  
at \$45.00 per thousand staves.

The other 200,000 feet of saw timber is worth on stump,  
as exceptant alleges, \$5.00 per thousand. In addition thereto,  
there is at least 200,000 cords of wood worth \$1.00 per cord.  
Also there is at least 1000 locust posts worth .10¢ each. The  
young growth of locust on the land will produce annually 500  
locust posts, and it will pasture 100 heads of two-year cattle,  
each of which will take on during the season, around 200 pounds.

The land is very fertile for trucking purposes. It being  
exceptionally adopted to growing cabbage and potatoes. On the  
lands just across the line exceptant has raised cabbage at the



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT OF THE STATE OF VIRGINIA

vs.

CASSANDRA LAWSON ATKINS Et Als, and 52,561 Acres of LAND MORE OR LESS IN ROCKINGHAM COUNTY, VIRGINIA

To the Honorable H. W. Bertram, Judge of the Circuit Court of Rockingham County, Virginia.

The petition of G. L. Kite respectfully represents:

That he is the owner in fee simple, subject to certain liens thereon, of three tracts of land which have been condemned in the above entitled cause, numbered, described and delineated upon the County Ownership Map of Rockingham County, filed in said cause as tracts 372, 372-1 and of 58 acres, omitted, additional, which said lands have been condemned by a judgment in rem entered in the said Court for \$2433.00, on the report of the Board of ~~Appraisal~~<sup>Arbitration</sup> Commissioners composed of Judges Williams, Bertram, Turner, Glasgow and Smith, and that \$1989.00 Dollars, part thereof, is for tract No. 372; that \$270.00 another part of said judgment is for tract No. 372-1; and there was an additional allowance for 58 acres omitted by the Board of Appraisal Commissioners, and allowed by the Board of Arbitrators of \$174.00.

Your petitioner represents that the taxes upon the said lands for the years 1931, 1932, and 1933, are unpaid, and must be paid from the funds in the hands of the Court, and that these taxes are as follows: for the year, 1931, taxes, penalties and interest \$23.23; for the year 1932, Taxes, penalties and interest \$16.10; and for the year 1933, taxes and penalties \$12.67 making a total due for taxes of \$52.00, all of which will more fully appear from the Certificate of M. H. Harrison, Treasurer of Rockingham County, attached hereto and prayed to be read as a part hereof.

Your Petitioner further represents that your Petitioner agreed to give to the State Commission on Conservation and Development of the State of Virginia, 25 acres of land when the Solicit-



ors were at work, and that this 25 acres were valued at \$75.00 which must be deducted from the award above, and that there must also be deducted from the said award the sum of \$586.24, paid your Petitioner as compensation for the right-of-way through a portion of said lands, for the Scenic Highway, commonly known as the Skyland Trail which passes through a portion of this land.

Your petitioner still further represents that there is a judgment of the Bickers Motor Company, <sup>against Petitioner</sup> for the sum of \$132.76, with interest thereon, from August 10, 1926, and \$15.70 costs, which judgment is represented by E. D. Ott, Attorney, and the principal of which with interest and costs, amount as of this date, to \$210.57.

Your Petitioner would still further represent that on May 28, 1934, your petitioner assigned to J. P. Hockman, the sum of \$547.50 another part of said sum, to pay in full a note executed by Petitioner to Hockman on September 19, 1931, and which said amount should be paid to J. P. Hockman or to his attorney, W. V. Ford.

Your petitioner also represents that Petitioner has this day assigned unto R. S. Moyers, out of the funds coming to him in the said cause, the sum of \$122.24, which said sum represents a balance due on a note executed by Petitioner to R. S. Moyers for \$450.00 on February 12, 1930, the balance due thereon, being as of this date, \$122.24, which said sum should be paid to R. S. Moyers or Charles A. Hammer, his attorney.

Your petitioner further represents that after the payment of the \$547.50 to Hockman, \$52.00 Taxes, the \$75.00 for the 25 acres of land contributed to the Park, the \$586.24 received on account of the Scenic Highway, \$210.57 to the Bickers Motor Company's judgment; and the \$122.24 to R. S. Moyers, and \$2.00 to J. R. Switzer, Clerk, ~~and~~ the remaining <sup>due</sup> ~~on~~ said judgment to Petitioner, the sum of \$837.45, which should be paid unto Petitioner, or to his Attorney, Charles A. Hammer.

Your Petitioner would further show unto the Court

HAMMER & HAMMER  
ATTORNEYS AT LAW  
HARRISONBURG, VA.



that he has the superior right and title to the said lands, that no person other than Petitioner have any interest therein; that the State Commission on Conservation and Development of the State of Virginia has paid unto the State Treasurer, in satisfaction of the judgment aforesaid, the sum of \$2433.00, which said Petitioner prays may be disbursed as follows: to M. H. Harrison, Treasurer of Rockingham County, \$52.00 for taxes, \$75.00 for the 25 acres of land contributed to the State Commission on Conservation and Development, \$586.24 received on account of the right-of-way for the construction of the Scenic Highway, \$547.50 to J. P. Hockman, \$210.57 to the Bickers Motor Company, Incorporated, \$122.24 to R. S. Moyers, \$2.00 to J. R. Switzer, Clerk, and the remaining \$837.45 to your petitioner; the payment of the said several sums constitute and will absorb the total award for the fee simple title to the said tracts of land.

Wherefore, Petitioner prays that an order be entered for the disbursement of the said \$2433.00, directing the Treasurer of Virginia, to pay unto the said several parties the sums due them, as hereinbefore set forth; and that such other, further and general relief be given as the nature of the case may require, or to the Court may seem proper.

*G L Kite*  
 BY COUNSEL

*Hammer & Hammer*  
 COUNSEL

VIRGINIA  
 CITY OF HARRISONBURG, to-wit:

*le. J. Dundore*  
 I, ~~Bessie M. Cooke~~, a Notary Public, in and for the City

of Harrisonburg, in the State of Virginia, do certify that G. L. Kite, whose name is signed ~~on the margin hereof~~, for the purpose of identification, this day personally appeared before me in my said City and made oath that the matters stated in the foregoing petition are true.

Given under my hand this <sup>11th</sup> ~~29th~~ day of <sup>June</sup> ~~May~~, 1934.

*le. J. Dundore* N.P.

HAMMER & HAMMER  
 ATTORNEYS AT LAW  
 HARRISONBURG, VA.



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

TO WHOM IT MAY CONCERN:

I hereby certify that the records in this office show that the following taxes assessed in the name of G. L. Kite on 382 acres of land situate in the Park Area in Stonewall District, this County:

1931-		\$ 18.90	
	2-5% Penalties	1.93	
	Interest	2.40	23.23
1932-		13.80	
	2-5% Penalties	1.40	
	Interest	.90	16.10
1933-		12.07	
	1-5% Penalty	.60	12.67
Total-		\$	52.00

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

Given under my hand this 26th  
 day of May 1934.

*M. H. Harrison*

Treasurer



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT OF THE STATE OF VIRGINIA

vs.

CASSANDRA LAWSON ATKINS Et Als, and 52,561 Acres of Land MORE OR LESS IN ROCKINGHAM COUNTY, VIRGINIA

This Cause came on to be again heard this 28 day of June, 1934, upon the papers formerly read and proceedings formerly had, the letter of John M. Purcell, Treasurer of Virginia, to J. Robert Switzer, Clerk, Dated June 21, 1934, and was argued by Counsel.

Upon consideration whereof, it appearing to the Court that in the order entered in this cause on the 18th day of June, 1934, the Treasurer of Virginia was directed to pay to sundry persons, from the funds allotted for tracts No. 372 and 372-1, the sum of \$2433.00, when there has only been certified to the Treasurer of Virginia by the Honorable Wm. E. Carson, Chairman of the State Commission on Conservation and Development \$2160.00 for tract No. 372 and \$227.00 for tract No. 372-1, and that the amount ordered paid exceeds the amounts certified by the said Carson by \$46.00; and it further appearing that the difference arises from a deficiency in the quantity of land due to the establishment of the Skyland Trail, it is accordingly adjudged and ordered that the order entered on the 18th day of June, 1934, be amended and that there be paid to G. L. Kite or to Charles A. Hammer, his Attorney, the sum of \$791.45, and that the Treasurer do disburse the said \$2387.00 as directed in the order of June 18th, 1934, as <sup>here</sup> amended.

*Ent. 10/18/34*

*20*  
*218*



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT OF THE STATE OF VIRGINIA

vs.

CASSANDRA LAWSON ATKINS et Als, and 52,561 Acres of LAND MORE OR LESS IN ROCKINGHAM COUNTY, VIRGINIA

On the motion of G. L. Kite, leave is given him to file his petition in the above entitled cause, for the payment of the sum of \$2433.00, the amount of the award set out in the judgment, in the condemnation of tracts 372, 372-1, and of 58 acres additional omitted land, in accordance with the findings of the Board of Arbitrators, and heretofore paid into the custody of the Court, and the said petition and application <sup>are</sup> accordingly filed:

And this Petition came on to be heard this 18 day of June, 1934, and it appearing to the Court that of the sum of \$2433.00, there is due M. H. Harrison, Treasurer of Rockingham County \$52.00 for taxes, \$75.00 due the State Commission on Conservation and Development for 25 acres of land donated for the park purposes; \$586.24 due the State Commission on Conservation and Development in payment of the right-of-way for the construction of the Scenic Highway, and heretofore paid G. L. Kite; \$547.50 to J. P. Hockman, being the amount of his assignment of a part of said fund; \$210.57 in payment of the judgment, interest and costs of the Bickers Motor Company against G. L. Kite; \$122.24 the amount of the assignment of G. L. Kite to R. S. Moyers; \$2.00 to J. R. Switzer, Clerk fees, and \$837.45 the remainder due to G. L. Kite.

And it further appearing to the Court that said G. L. Kite is invested with the superior and better right, title and claim in and to the said tracts of land numbered 372,372-1, and 58 acres of additional land referred to in the judgment in rem, than any person or persons, and that the records in this proceeding do not disclose any denial or adverse claim, or dispute by any person or persons in interest as to the title of the said Kite to the said lands, or to the proceeds arising from the condemnation

2433  
2387  
46



thereof; it is accordingly ordered and decreed that the Treasurer of Virginia do disburse the sum in his hands as follows: to M. H. Harrison, Treasurer of Rockingham County \$52.00 for taxes; to The State Commission on Conservation and Development \$75.00 for the 25 acres of land contributed by the Petitioner to the said Commission on Conservation and Development; to the State Commission on Conservation and Development \$586.24, the amount of money heretofore received on account of the right-of-way through a portion of the land for the construction of the Scenic Highway; to J. P. Hockman, assignee, <sup>W.V. Fort, his attorney</sup> the sum of \$547.50; to <sup>Q.D. Ott attorney for</sup> the Bickers Motor Company ~~or to E. D. Ott, its Attorney~~, the sum of \$210.57 being principal, interest and costs of the judgment of the said Bickers Motor Company against the said G. L. Kite; to R. S. Moyers, assignee, or to Charles A. Hammer, his Attorney, the sum of \$122.24 being the amount of the assignment by G. L. Kite to the said Moyers; to J. R. Switzer, Clerk \$2.00, and to G. L. Kite or to Charles A. Hammer, his Attorney, the remaining \$837.45, taking from the said several parties receipts therefor, and certifying such payment to the Court for appropriate entry as required by law.

*Ent*  
*HWB*

*20*  
*210*



I hereby assign to J. P. Hockman, Shenandoah, Page County, Virginia, out of the sum or sums of money which have been awarded to me by the Board of Appraisal Commissioners and Special Investigators in the condemnation proceedings of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins, &c., as compensation and damages for my lands sought to be taken and condemned for the purposes of establishing the Shenandoah National Park, said award having been corrected and raised by the Board of Arbitrators heretofore appointed in said condemnation case, and whose arbitration award has been duly returned and filed in the Clerk's Office of Rockingham County, my said tracts being known and designated as Tract No. 372 and 372-I and 58 acres of additional land added to the above two tracts, such sum or sums of money as shall be necessary and sufficient to pay in full the following described negotiable note, together with the accrued interest thereon, to-wit: A note bearing date on the 19th day of September, 1931, executed by G. Luther Kite, and payable to the said J. P. Hockman for the sum of Five Hundred Forty-Seven Dollars and Fifty Cents (\$547.50), which said note is now past due, together with interest on said note from the said 19th day of September, 1931.

Given under my hand this 28th day of May, 1934.

G. L. Kite



G. L. L. L. L.

to } Petition

The State Commission on  
Conservation & Development of  
the Land of Virginia.

LAW OFFICES OF  
HAMMER & HAMMER  
ATTORNEYS AND COUNSELORS AT LAW  
204-5 FIRST NATIONAL BANK BLDG.  
HARRISONBURG, VA.



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. 372:  
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. \_\_\_\_\_ \$\_\_\_\_\_; 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;

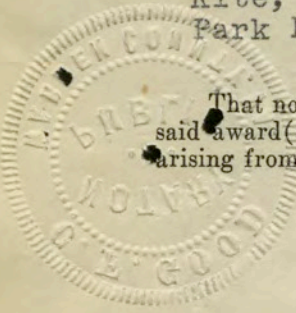
Luther Kite  
Bickers Motor Co., E. D. Ott, Atty.

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, Luther Kite, to give 25 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. 372 \$75.00: 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 <u>William A. Marshall</u>	_____
_____	_____

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.



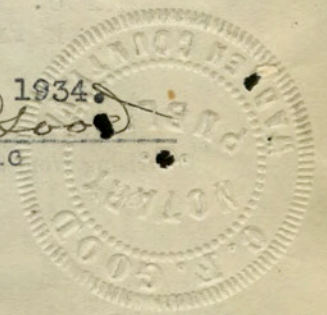
STATE OF VIRGINIA )  
COUNTY OF WARREN ) SS

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.

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

*Charles H. Good*  
NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934





Notary Public in the State of Virginia  
The State Commission on Conservation and Development of the State of Virginia

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

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

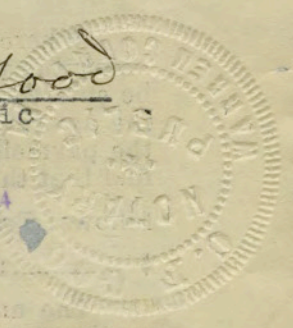
STATE OF VIRGINIA )  
COUNTY OF WARREN ) SS

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.

Given under my hand this 2nd day of May, 1954.

*E. K. Stokes*  
Notary Public

NOTARY PUBLIC  
My Commission Expires Sep. 8, 1954



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

.....  
.....  
.....  
.....

.....  
.....  
.....



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

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

Virginia: In the Circuit Court of Rockingham County

MAY / 1934

The State Commission on Conservation and Development of the State of Virginia  
V. At Law No. 1829

Petitioner. Clerk

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. 372 : Tract No. 372-I : Tract No. . . . . ; and described in the report of the Board of Appraisal Commissioners appointed therein 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. 372 . . . . \$ 2160.00 on Tract No. 372-I . . . . \$ 227.00; 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;

Luther Kite  
Bickers Motor Company, by E. D. Ott, Attorney.

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) of 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:—

Under the terms of a duly recorded contract and deed conveyed the Skyline roadbed running through this tract, the owner granted and conveyed to the undersigned the right to receive from said proceeds, the sum of \$586.24.

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:

The above mentioned claimants to the extent that they may be able to establish their claims.

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. 372 & <sup>372-I</sup> . . . . \$ 586.24 : Tract No. . . . . \$ . . . . . : Tract No. . . . . \$ . . . . . ;

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

NAME

P. O. ADDRESS

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT

BY

*Wesley A. Pennington*  
COUNSEL

NOTE—A supply of this blank 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.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 3, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 3 day of July in accordance with an order of the circuit court of Rockingham County dated 6/18/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to G. L. Kite or to Charles A. Hammer, his attorney \$ 791.45 being in full settlement of tract # 372, 372-1 in the above mentioned cause.

*J. M. Purcell*  
Treasurer of Virginia.

*W. H. Young*  
DEPUTY TREASURER OF VIRGINIA





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 3, 1934

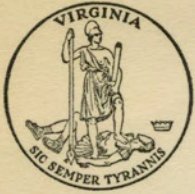
G. L. Kite or to Charles A. Hammer, his attorney

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 791.45, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 18th day of 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 # 372, 372-1.

G. L. Kite

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





# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL  
TREASURER OF VIRGINIA

July 3, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 3 day of July in accordance with an order of the circuit court of Rockingham County dated 6/18/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Laws n Atkins paid to J. R. Switzer, Clerk \$ 2.00 being in full settlement of tract # 372, 372-1 in the above mentioned cause.

*J. M. Purcell*  
Treasurer of Virginia.

*By W. C. Young*  
DEPUTY TREASURER OF VIRGINIA





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

July 3, 1934

J. R. Switzer, Clerk

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 2.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 18th day of 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 # 372,372-1.

*J. R. Switzer*

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





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

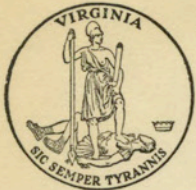
RICHMOND, VA.

July 3, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 3 day of July in accordance with an order of the circuit court of Rockingham County dated 6/18/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to R. S. Moyers, Assignee, or to Charles A. Hammer his atty. \$ 122.24 being in full settlement of tract # 372, 372-1 in the above mentioned cause.

*J. M. Purcell*  
Treasurer of Virginia.  
*By W. G. Young*  
DEPUTY TREASURER OF VIRGINIA





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 3, 1934

R. S. Moyers, Assignee, or to Charles A. Hammer  
his attorney

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 122.24, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 18th day of 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 # 372, 372-1

Charles A. Hammer  
atty to R. S. Moyers assignee

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





# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL  
TREASURER OF VIRGINIA

July 3, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 3 day of July in accordance with an order of the circuit court of Rockingham County dated 6/18/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to J. P. Hockman, Assignee or W. V. Ford, his Attorney \$ 547.50 being in full settlement of tract # 372,372-1 in the above mentioned cause.

*J. M. Purcell*  
Treasurer of Virginia.

*By W. L. Young*  
DEPUTY TREASURER OF VIRGINIA





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

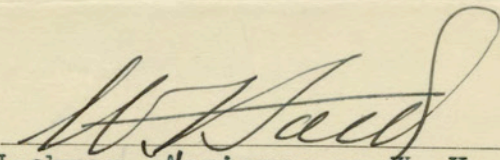
TREASURER'S OFFICE

RICHMOND, VA.

July 3, 1934

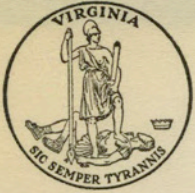
J. P. Hockman, Assignee or W. V. Ford, his Attorney

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 547.50, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 18th day of 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 # 372,372-1.

  
J. P. Hockman, Assignee or W. V. Ford,  
his Attorney.

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





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 3, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 3 day of July in accordance with an order of the circuit court of Rockingham County dated 6/18/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to E. D. Ott, Attorney for Bickers Motor Company \$ 210.57 being in full settlement of tract # 372, 372-1 in the above mentioned cause.

*J. M. Purcell*  
Treasurer of Virginia.

By *W. G. Young*  
DEPUTY TREASURER OF VIRGINIA





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 2, 1934

E. D. Ott, Attorney for Bickers Motor Company

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 210.57, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 18th day of 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 <sup>Judgment resting on</sup> tract of land known in said proceeding as # 372, 372-1 <sup>in favor</sup>

of Bickers Motor Company

E. D. Ott

Atty for Bickers  
Motor Company

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





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 3, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 3 day of July in accordance with an order of the circuit court of Rockingham County dated 6/18/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to M. H. Harrison, Treasurer of Rockingham County \$ 52.00 being in full settlement of tract # 372, 372-1 in the above mentioned cause.

*J. M. Purcell*  
Treasurer of Virginia.

*By W. L. Young*  
DEPUTY TREASURER OF VIRGINIA





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 3, 1934

M. H. Harrison, Treasurer of Rockingham County

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 52.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 18th day of 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 # 372-372-1

*M. H. Harrison (Treas)*

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