

NAME OF CLAIMANT

#181 - Davis, Chas.

Number of Acres: 114

Location: Hawksbill Creek and is entirely within the Park area.

Roads: Ten miles to Elkton over six miles of county road and four miles over Spotswood Trail.

Soil: North and northwest slope of good depth and fertility.

History of Tract and condition of timber:

There is a nice stand of mixed oaks and pine on one of the wooded areas and a very limited amount of saw timber on the other. The total amount of saw timber on this tract is estimated to cut 32,000 bd. ft. 200 cords of fuelwood.

Improvements:

Dwelling: Frame, 15x28', 4 rooms, porch 7x23', metal roof, brick flues, 2 story, ceiled, good condition, occupied by owner, spring, solid foundation.
Hen house: Frame, 8x10x6', shingle roof, poor condition.
Shop: Frame, 14x21x12', shingle roof, fair condition.
Granary: Frame, 21x21x12', shingle roof, fair condition.
Dwelling: Frame, 16x20', 4 rooms, metal roof, 1½ story, fair condition, occupied by tenant, solid foundation.
Barn: Log and frame, 22x40x15', fair condition.
Hen house: Frame, 6x6x6', shingle roof, poor condition.
Spring house: Frame, 8x14x8', shingle roof, fair condition.

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
Ridge:			
Slope:	32 @	\$3.00	\$96.00
Cove:			
Grazing Land:			
Fields Restocking:			
Cultivated Land:	82 @	27.50	\$2255.00
Orchard:			\$2351.00
Minerals:			1750.00
Value of Land: \$	2351.00		75.00
Value of Improvements: \$	1750.00		96.00
Value of Orchard: \$	75.00		50.00
Value of Minerals: \$			\$4222.00
Value of Fruit: \$			
Value of Timber: \$	96.00		
Value of Wood: \$	50.00		
Value per acre for tract: \$	37.03		
Incidental damages arising from the taking of this tract: \$	None.		

Geo. W. Pen. Clerk.

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

Petitioner

vs.)

No. 1829

CASSANDRA LAWSON ATKINS, et als., and)
52,561 acres of land, more or less)

Respondents

This cause came on to be heard this 9 day of June, 1934,
upon the papers formerly read, proceedings formerly had, the exhi-
bits filed and arguments of counsel.

Upon consideration whereof, it appearing to the Court
that the tract of 114.2 acres of land designated in this proceeding
as No. 181 was condemned herein, and the amount of the award therefor
fixed by the Commissioners is, to-wit: \$4222.00, which sum set out
in the judgment of condemnation has heretofore been paid into
Court; and it further appearing to the Court that Herbert W. Wyant
has been appointed and qualified as Receiver of the Court in the
chancery cause now pending therein of J. Warren Davis, et als. vs.
Chas. Davis, et als., wherein said award of \$4222.00 is to be ad-
ministered under orders of the Court;

It is therefore adjudged, ordered and decreed that the
Treasurer of Virginia do pay to Herbert W. Wyant, Receiver in said
chancery cause of J. Warren Davis, et als. vs. Chas. Davis, et als.
the sum of \$4222.00, being the amount in full ascertained to be due
for said tract No. 181, and which is to be by said Receiver dis-
bursed in accordance with the orders of the Court to be entered in
said chancery cause pending in said Court. It is further ordered
that said Receiver shall receipt for said \$4222.00 and the payment
thereof certified to the Clerk of this Court for appropriate entry
thereof as required by law.

Eufrasio

70/70

#181 - Davis, Charles

<u>Acreage Claimed:</u>	114	Assessed 114 A-80 P.	Deed 130 A.
<u>Value Claimed:</u>	\$5000.00	" \$930.00	" \$1.00 etc.

Location: Hawksbill creek and is entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil: North and northwest slope of good depth and fertility.

Roads: Ten miles to Elkton over six miles of county road and four miles over Spotswood Trail.

History of tract and condition of timber: There is a nice stand of mixed oaks and pine on one of the wooded areas and a very limited amount of saw timber on the other. The total amount of saw timber on this tract is estimated to cut

32,000 bd. ft. valued @ \$3.00	-----	\$96.00
200 cords of fuelwood valued @ 25¢	-----	50.00
		<u>\$146.00</u>

Improvements:

<u>Dwelling:</u> Frame 15x28', 4 rooms, porch 7x23', metal roof, brick flues, 2 story, ceiled, good condition, occupied by owner, spring, solid foundation --	\$900.00
<u>Hen house:</u> Frame 10x16x8', metal roof, fair condition -----	30.00
<u>Hen house:</u> Frame 8x10x6', shingle roof, poor condition -----	10.00
<u>Shop:</u> Frame 14x21x12', shingle roof, fair condition -----	50.00
<u>Granary:</u> Frame 21x21x12', shingle roof, fair condition -----	225.00
<u>Dwelling:</u> Frame 16x20', 4 rooms, metal roof, 1½ story, fair condition, occupied by tenant, solid foundation -----	300.00
<u>Barn:</u> Log and frame 22x40x15', fair condition -	400.00
<u>Hen house:</u> Frame 6x6x6', shingle roof, poor "	5.00
<u>Spring house:</u> Frame 8x14x8', shingle roof, fair condition -----	25.00
	<u>\$1945.00</u>

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	33	\$3.00	\$99.00
Fc	82	20.00	1640.00
	<u>115</u>		<u>\$1739.00</u>

County: Rockingham
District: Stonewall

#181 - Davis, Chas.

Cont'd

Total value of fruit trees	--	\$181.50
Total value of land	--	1739.00
Total value of improvements	--	1945.00
Total value of timber	--	<u>156.00</u>
Total value of tract	--	\$4021.50
Average value per acre		34.96



Commonwealth of Virginia

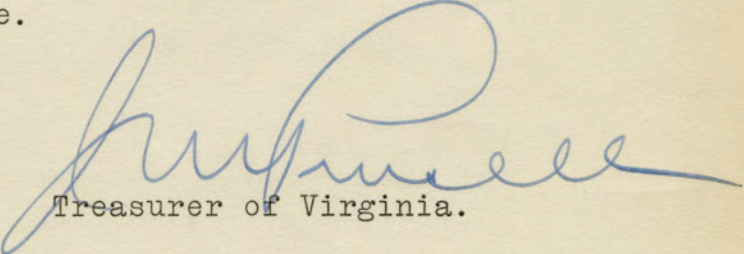
TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL
TREASURER OF VIRGINIA

June 11, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 11th day of June in accordance with an order of the circuit court of Rockingham County dated 6/9/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins
Herbert W. Wyant, Receiver in said chancery cause of J. paid to Warren Davis, et als. vs. Chas. Davis, et als
\$ 4,222.00 being in full settlement of tract # 181
in the above mentioned cause.


Treasurer of Virginia.



Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL
TREASURER OF VIRGINIA

June 11, 1934

Herbert W. Wyant, Receiver in said chancery cause
of J. Warren Davis, et als. vs. Chas. Davis, et als

Received of J. M. Purcell, Treasurer of
Virginia, the sum of \$ 4,222.00, in accordance
with an order of the Circuit Court of the county
of Rockingham entered on the 9th 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 # 181.

*Herbert W. Wyant, Receiver
Chancery Cause of J. Warren Davis,
et als vs Chas Davis, et als.*

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. 181 : 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. 181 \$4222.00; 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;

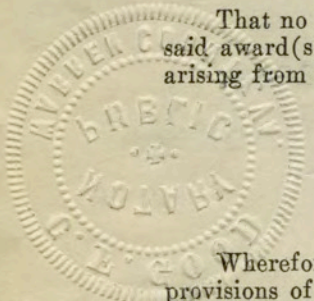
Charles Davis

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, Charles Davis, to give 5 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. 181 \$15.00 : 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.

STATE OF VIRGINIA)
COUNTY OF WARREN) SS

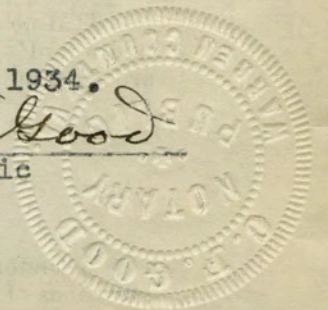
Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof 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.

Chas H Good

NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934



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.181-
Chas. Davis, \$15.00.

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. 181, the sum of \$15.00, representing the amount of a certain pledge made by Chas. Davis, 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.

J. W. Beaman Judge
Circuit Court of Rockingham County, Va.

no
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