

ROCKINGHAM COUNTY

NAME OF CLAIMANT

#170-a - Shifflett, Bernard & Wilmer

Number of Acres: 2

Location: Near Simmons Gap, and is entirely within the Park area.

Roads: Eleven miles to Elkton over seven miles of county road and four miles of macadam.

Soil: Sandy clay loam.

History of Tract and condition of timber: There is no saw timber on this tract.

Improvements: None.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	2	@	\$5.00	\$10.00
Cove:				
Grazing Land:				
Fields Restocking:				
Cultivated Land:				
Orchard:				
Minerals:				
Value of Land: \$ 10.00 - Total.				
Value of Improvements: \$				
Value of Orchard: \$				
Value of Minerals: \$				
Value of Fruit: \$				
Value of Timber: \$				
Value of Wood: \$				
Value per acre for tract: \$ 5.00				
Incidental damages arising from the taking of this tract: \$ NONE.				

Geo. H. Pen

CLERK.

Claim of Bernard Spiffitt vs The State Commission
In the Circuit Court of Rockingham County, Virginia, No. 529, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Cassandra Adams + others for the

condemnation of 52.56 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 Bernard Spiffitt
My post office address is Box 100

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 76 acres, on which there are the following buildings and improvements: dwelling house, corn house, run

wagon shed, poultry house, spring house
This land is located about 2 miles from Gettysburg 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 J. B. Beant
South J. B. Werring
East A. C. David
West J. B. Werring

I acquired my right, title, estate or interest to this property about the year 1915 in the following manner:

by a Bernard Werring deed from
Oliver Gators

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 36,000.00. 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 \$ 35,000.00.

I am the owner of 0.00 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 14 day of February, 1930.

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

The undersigned hereby certifies that Bernard Spiffitt
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 14 day of February, 1930.

A. B. Beant J. B.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

County: Rockingham
District: Stone wall

#170-a - Shifflett, Bernard

Acreage Claimed: 75 Assessed Deed

Value Claimed: ^x \$3500.00 " Area: 2 A. "

Location: Near Simmons Gap and is entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay loam.

Roads: Eleven miles to Elkton over seven miles of county road
and four miles of macadam.

History of tract and condition of timber: There is no saw timber on
this tract.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	2	\$3.50	\$7.00

Total value of land \$7.00
Total value of tract 7.00
Average value per acre 3.50

x -- This includes tract #170.



Commonwealth of Virginia

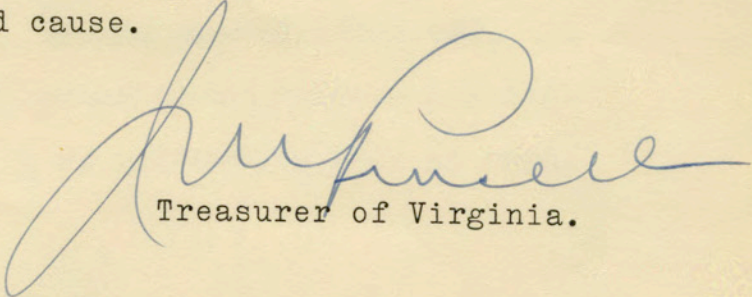
TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL
TREASURER OF VIRGINIA

March 8, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 8 day of March in accordance with an order of the circuit court of Rockingham County dated 2/28/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Chas. A. Hammer and W. W. Wharton, Attorneys Harrisonburg, Virginia \$ 10.00 being in full settlement of tract # 170-a in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

March 8, 1934

Chas. A. Hammer and W. W. Wharton, Attorneys
Harrisonburg, Virginia

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 10.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 28th day of February 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 # 170-a.

*Chas. A. Hammer and
W. W. Wharton*
Attorneys

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

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. 170-a.

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. 170-a, the sum of \$7.00 representing the amount of a certain pledge made by Bernard Shifflet, 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 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.

*Eut
162013*

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368*

6/20/35

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. 170-a : 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. 170-a \$ 10.00; 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;

Bernard Shiflett

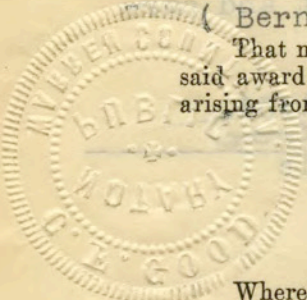
That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment as constituting the award(s) for the fee simple estate in the said tract(s) of land;

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, Bernard Shiflett, to give 2 acres of his land within the Park Area to the Park Project.

(Bernard Shiflett donated 3 acres, but only 2 inside Park boundary)

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. 170-a \$ 7.00 : 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.

Notary Public for the State of Virginia
The State Commission on Conservation and Development of the State of Virginia
Virginia: In the Circuit Court of Rockingham County
V. At Law No. 1873

DEFEASANTS
Cassandra Lawson Atkins and others, and Fifty-Two Thousand Five Hundred and
Sixty-One (52,561) Acres of land, more or less
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. LYO-a

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

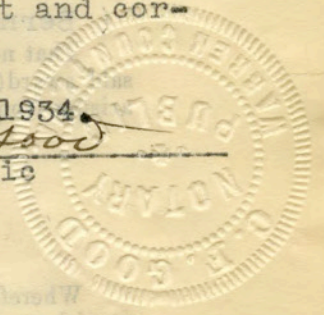
these proceedings, and that the within claim is just and cor-

rect.

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

NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934



Wherefore your undersigned prays that the Court may order that the undersigned 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. LYO-a \$ 10.00 : Tract
No. : Tract No. : Tract No.
The undersigned further avers(s) that: (Leave this space blank unless there is some other part-
icular matter to be brought specially to the attention of the court.)

F. O. ADDRESS

NAME

STATE COMMISSION ON CONSERVATION

& DEVELOPMENT

[Handwritten signature]

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