

NAME OF CLAIMANT

#264 - Bailey, W. H. -
Now R. L. & G. A. Bailey.

Number of Acres: 221.

Location: Lewis Run. Part outside Park area. U. S. Positions 179-180.

Roads: Four miles via dirt road to Port Republic.

Soil: Sandy loam. Slope type, of a fair depth and fertility.

History of Tract and condition of timber:

Most of the merchantable saw timber has been removed from this tract. The remaining stand consists of second growth oaks and short leaf pine. About two cords of wood per acre. 84 M. bd. ft. saw timber. 442 cords of wood.

Improvements: None.

*Now New York State Insurance Co
Ridgely Perryman Att
see Exhibit sheet #40*

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
Ridge:			
Slope:	221	\$5.00	\$1105.00

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land: 250.00

Orchard:

Minerals: 110.00
\$1465.00

Value of Land: \$ 1105.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$ 250.00

Value of Wood: \$ 110.00

Value per acre for tract: \$ 6.63

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

Geo. N. Pen. CLERK

Claim of R. L. & C. A. Bailey
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. R. L. Bailey and C. A. Bailey
300 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 R. L. Bailey and C. A. Bailey

My post office address is McGaheysville, Virginia

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 300 acres, on which there are the following buildings and improvements: none

This land is located about two miles from east of Lynwood, 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.)

R. L. Bailey and C. A. Bailey joint owners

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

North Gibson and Cupp

South Mrs. E. B. Hopkins

East ?

West Port Republic Road

I acquired my right, title, estate or interest to this property about the year 1929 in the following manner:

By deed from William H. Bailey

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 7,500.00. 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 \$ 7,500.00.

I am the owner of 129 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 \$ 1290.00.

(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: The land is susceptible of improvement suitable for fruit growing, trucking and farming, and has on it a deposit of mineral and a growth of young timber.

~~In settlement for this land and damage please confer with H. B. C. Gentry of Elkton, Va., who will represent us.~~

(Continue remarks if necessary on the back).

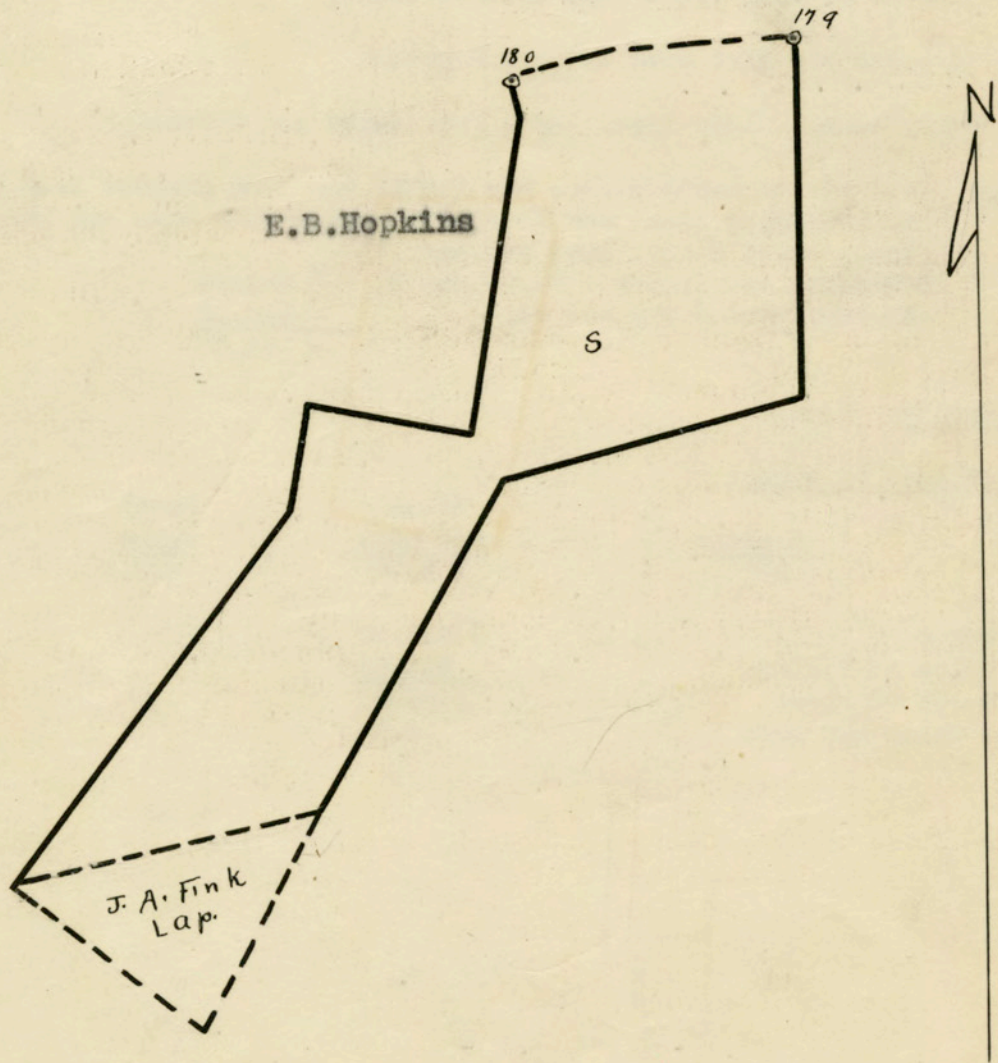
Witness my signature (or my name and mark attached hereto) this 30th day of January, 1931 R. L. Bailey C. A. Bailey

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

The undersigned hereby certifies that R. L. and C. A. Bailey 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 30th day of January, 1931, 1930.

H. B. C. Gentry N.P.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

#264- Bailey, W.H.



LEGEND:
Slope
Scale - 1" = 20 chains

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

State Commission on Conservation and Development

vs PETITION OF THE NEW YORK LIFE INSURANCE COMPANY

Cassandra Lawson Adkins, etc.

The petition of The New York Life Insurance Company, of New York, N. Y., respectfully represents that there is pending in the Circuit Court of Rockingham County, Virginia, condemnation proceedings involving the acquisition for purposes of a National Park of a large body of land situated in the County of Rockingham, among others a portion of some 250 acres of land lately belonging to Robert L. Bailey and Clarence A. Bailey.

This parcel of land, as appears by deeds of record, was conveyed by William H. Bailey to George H. Bailey, Clarence A. Bailey, and Nettie K. Rosen by deed dated March 10, 1924, Deed Book 129 page 1.

By a deed of trust bearing date on the 7th day of April, 1924, Deed Book 129 page 3, said George H. Bailey and others conveyed same to Andrew L. Todd, Trustee, in trust to secure a loan from the New York Life Insurance Company of which \$35,000.00 was principal. Later, by proper motion, order was entered by the Circuit court of Rockingham County appointing Rudolph Bumgardner as Trustee in the room and stead of the said Andrew L. Todd, resigned, which is of record in said Clerk's Office in Deed Book 144 page 55.

By a deed of conveyance, dated ^{November 21, 1925} ~~March 10, 1924~~, Deed Book 135 page 282, said George H. Bailey and others reconveyed said property to said William H. Bailey, who assumed the lien of said deed of trust.

7/1/32
By deed dated July 31, 1929, Deed Book 144 page 501, William H. Bailey conveyed said lands to R. L. Bailey and Clarence A. Bailey, who assumed said lien in favor of the New York Life Insurance Company. Default was made in the payment of the debt secured in

said deed of trust and, on the 16th day of July, 1932, said Rudolph Bumgardner, as Substituted Trustee in said deed of trust securing the debt due the New York Life Insurance Company, after due advertisement and in accordance with the terms of said deed of trust, offered for sale at public auction the said property, including all rights accruing to the owners in said condemnation proceedings as respects any payments made for land acquired, and subject to the deduction of any lands so acquired, at which sale the property and rights aforesaid were knocked down to petitioner, the New York Life Insurance Company, who duly complied with the terms of its purchase, and to whom conveyance has been made by said Bumgardner, Substituted Trustee.

On the map filed in said condemnation proceedings the portion of the Bailey tract to be condemned is duly delineated as standing in the name of William H. Bailey. However, being shortly thereafter acquired by Robert L. Bailey and Clarence A. Bailey the matter has proceeded in their names and they have filed an answer, which is among the court papers, in which they claim \$7500.00 as the value of the lands proposed to be acquired for Park purposes.

Your petitioner is advised that the Commission has made its examination of the lands, had its hearings, and will shortly file its report fixing the values. ^PYour petitioner prays that leave may be given it to file this its petition in said proceedings showing its successorship to the title and rights respectively of said William H. Bailey and said Robert L. Bailey and Clarence A. Bailey, to the end that any monies paid in said condemnation proceedings for the acquisition of said Bailey lands, or any part thereof, may be duly paid to your petitioner as the rightful owner of said lands and all rights therein, including any and all rights in said condemnation proceedings.

And as in duty bound your petitioner will ever pray.

THE NEW YORK LIFE INSURANCE COMPANY

By Counsel.

Richard Beuzard
of Counsel

RUDOLPH BUMGARDNER
ATTORNEY AT LAW
ROOMS 9 AND 11 MASONIC TEMPLE
SUCCESSOR TO BUMGARDNER & BUMGARDNER
STAUNTON, VA.

July 27th, 1932.

File 4555 -F - Mr. Seigler

Mr. J. Robert Switzer,
Clerk Circuit Court Rockingham County,
Harrisonburg, Virginia.

Dear Sir:-

Loan F-17470 Bailey, Rockingham County, Va.

I am herewith enclosing petition of the New York Life Insurance Company which I will ask you please to mark as duly filed in the condemnation proceedings of the Commission on Conservation and Development of Virginia vs. Cassandra Lawson Adkins and others.

Will you be so good, when court meets, to enter a formal order filing the petition.

In recent foreclosure proceedings the New York Life Insurance Company has become the owner of the Bailey land, a part of which is under condemnation, which entitles them to any monies to be paid for this land and subjects them to deduction from their acreage as being the successors in title and all rights of the Baileys.

Very truly yours,

Rudolph Bumgardner

RUDOLPH BUMGARDNER

eb/hfl

Copy to Mr. Harry H. Bottome,
General Counsel, N. Y. Life Ins. Co.,
51 Madison Avenue,
New York, N. Y.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

State Commission on Conservation and
Development of the State of Virginia

Petitioner

v. #1829

At Law

Cassandra Lawson Atkins, etc.

Defendants

On motion of The New York Life Insurance Company, of
New York, N. Y., leave is given it to file its petition herein,
which is accordingly filed.

Enter:

AWB

19/411

7/1/32

Claim of The Bank of Elkton, Inc.
In the Circuit Court of Rockingham County, Virginia, No. 1879, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Cassandra Lawson Shaw, et c

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 The Bank of Elkton, Inc.
My post office address is Elkton, 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 3 1/4 acres, on which there are the following buildings and improvements:

This land is located about 4 miles from Elkton Virginia, in the Hancock 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.)

I have a first deed of trust here on said land securing me in the sum of \$4000 - \$325. with int.

The land owners adjacent to the above described tract or parcel of land are as follows:
North _____
South _____
East _____
West _____

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

by a deed of trust for Ernest S. Lane and wife to Geo. S. Hargus, Jr. trustee, dated Oct. 5, 1926, recorded in D. C. 136, p. 1289.

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 \$_____.

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: The undersigned is only interested in said land to the extent of said deed and it asks that its rights to that extent be protected.

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 12th day of February, 1933 at City the Bank of Elkton, Inc by W. H. Hargus, Jr. President
STATE OF VIRGINIA, COUNTY OF Rockingham, To-wit: G. H. Hargus, Jr.

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 13th day of Feb, 1933

W. H. Hargus, Jr.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.
My Commission Expires Feb. 18, 1933

2/13/33

State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. [Name], Defendant.

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 served upon the filing of said petition and published in accordance with the order of the Circuit Court of [County], Virginia, asks leave of the Court to file this answer to said petition and to said notice.

My name is [Name]
My post office address is [Address]
I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about [Area] acres, on which there are the following buildings and improvements:

This land is located about [Distance] miles from [Location] in [County], Virginia, in the [Magisterial District] District of said County.

I claim the following right, title, estate or interest in the tract or parcel of land described above: [Description of interest]

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

I acquired my right, title, estate or interest in this property about the year [Year] in the following manner:

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

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 \$ [Value].

I am the owner of [Area] 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 \$ [Value].

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.

(Continue remarks if necessary on the back.)

Witness my signature and seal this [Date] day of [Month], 1931.

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

FEB 1931

Clerk

