

NAME OF CLAIMANT

#239 - Shifflett, Wilmer

Number of Acres: 33

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

Note: This tract was completely surveyed and this acreage was found.

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: This tract of land is used entirely for grazing purposes.

Improvements:  
NONE.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
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Ridge:

Slope:

Cove:

Grazing Land:	33	@	\$25.00	\$825.00
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Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$ 825.00

Value of Improvements: \$

Total amount ---- \$825.00

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 25.00

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

Geo. H. Pen. CLERK

County: Rockingham  
District: Stonewall

#239 - Shifflett, Wilmer

Acreage Claimed: 36 A. Assessed 30 acres Deed 33 A.  
(1926)  
Value Claimed: \$1100. " \$300.00 " \$500.00

Location: Hawksbill creek and lies entirely <sup>AREA: 30 A.</sup> within the Park area.  
Note: This tract was completely surveyed and this acreage was found.

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: This tract of land is used entirely for grazing purposes.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Fg	30	\$20.00	\$600.00

Total value of land \$600.00  
Total value of tract 600.00  
Average value per acre 20.00

Claim of Wilmer C. Shifflett  
In the Circuit Court of Rockingham County, Virginia, No. \_\_\_\_\_, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. \_\_\_\_\_

more or less, of land in Rockingham County, Virginia, Defendants.  
The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Wilmer C. Shifflett  
My post office address is Waynesboro Pa. S. Church St.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 36 acres, on which there are the following buildings and improvements: No Buildings

This land is located about 8 miles from Colleton Virginia, in the Shinnel 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 am Sole owner of property

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

North Geo. E. Shifflett  
South Anna Begou  
East Eyles Begou  
West Nofah C. Herring

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

Purchased this tract of land from my father Bernard Shifflett

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 1100.00. 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 \$ 1100.00.

I am the owner of 36 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 \$ 1100.00.

(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: Purchased this tract of land 1926. Have had \$75.00 of fencing & clearing. 4 years of overseeing at \$10.00 per yr. and 4 yrs. taxes at approx. \$6.00 a yr. Have refused the offer of \$1,000 different times. (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 10th day of Feb Pennsylvania 1936.

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

The undersigned hereby certifies that Wilmer C. Shifflett 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 10th day of Feb., 1936.

J. G. Baird, J.P.  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

But due to the fact. I paid cash for  
the property & didn't see it necessary  
to part with same. it was my desire  
to keep the property till later on.

I hereby set my price at a reasonable  
Amount of \$1100<sup>00</sup> which before this  
mone came about I could of easily have  
gotton, not counting in any additional  
Expenses.

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

FEB 1931

Clerk



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA  
THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT OF VIRGINIA  
vs At Law Numbers 239 and 170 A  
CASSANDRA LAWSON ATKINS Et Als

On this 28 day of February, 1934, comes Wilmer C. Shifflett, and on his motion leave is given him to file his application for disbursement of the \$825.00, the amount of the award set out in the judgment <sup>of</sup> condemnation <sup>for</sup> tract number 239 and heretofore paid into Court, and disbursement of the sum of \$10.00 the amount of award set out in the judgment <sup>of</sup> condemnation <sup>for</sup> tract number 170-A and heretofore paid into Court.

And it appearing to the Court from a copy of a certain deed dated the 6th day of August, 1926 and of record in Deed Book No. 136 at page 171, from Bernard Shifflett to Wilmer C. Shifflett, filed with W. C. Shifflett's Petition, along with an affidavit made by Bernard Shifflett stating that he has no interest or claim of any nature in said tract No. 170-A, and that his name appeared therein through error, And that no other person other than the said Wilmer C. Shifflett is entitled to share in the distribution of said sums, that taxes due on said tracts No. 239 and No. 170-A have been paid; Upon consideration whereof ~~and~~ <sup>it</sup> is considered and ordered by the Court that <sup>the sum of</sup> \$825.00 paid into Court by Petitioner as just compensation <sup>for</sup> Tract number 239, and <sup>the sum of</sup> \$10.00 paid into Court by Petitioner as just compensation <sup>for</sup> Tract No. 170-A, be disbursed to Wilmer C. Shifflett.

And the Clerk of the Court is directed to transmit a certified copy of this order to the Treasurer of Virginia who shall disburse said sums of \$825.00 and \$10.00, <sup>by paying the same to Chas. A. Hammer & W. W. Wherton</sup> taking a receipt of the amount paid, ~~him~~ and certify such payment to the Clerk of this Court for appropriate entry thereof as required by law.

*W. W. Wherton*

*20 / 124*

*Wherton*

Virginia: In the Circuit Court of Rockingham County

THE STATE COMMISSIONER ON CONSERVATION  
AND DEVELOPMENT of the STATE OF VIRGINIA

Petitioner

V. At Law Number 239 and 170 A

CASSANDRA LAWSON ATKINS and others  
and FIFTY-TWO THOUSAND, FIVE HUNDRED AND  
SIXTY-ONE (52,561) acres of land, more  
or less

Defendants

To the Honorable H. W. Bertram, Judge of said Court

Your petitioner, Wilmer C. Shifflett, Represents

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the petitioner the fee simple estate in two certain tracts of land formerly the property of your petitioner situated in the Blue Ridge Mountains in Stonewall District, Rockingham County, Virginia, said tracts described in the report of the Board of Appraisal Commissioners appointed herein, and shown numbered and delineated on the County ownership map filed herein as tract number 239 at the price of EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$825.00), and tract number 170 A at the price of TEN DOLLARS (\$10.00).

Your petitioner further shows to the court that all taxes against said two tracts of land to and including the year 1933 have been paid and certificates to that effect from the Treasurer of Rockingham County, Virginia and the Clerk of the Circuit Court of Rockingham County, Virginia are filed herewith marked Exhibit Certificate Number 1 and Exhibit Certificate Number 2.

Your petitioner further shows to the court that there was an error ~~to~~ <sup>IN</sup> include Bernard Shifflett in this proceeding as one of the owners or as having any interest in Tract Number 170 A.

That Bernard Shifflett by deed dated the 6th day of August, 1926, conveyed all his right, title and interest in said property to Wilmer C. Shifflett. Said deed is duly of record in the Clerk's office of said County in

Deed Book Number 136, page 171. The copy of said deed is filed herein marked "Exhibit #3" that an affidavit signed ~~by~~ and sworn to by Bernard Shifflett to the effect ~~stating~~ that he has no interest of any nature in said tract Number 170 A is filed herein marked "Exhibit #4". All of said Exhibits are prayed to be read as a part hereof.

Your petitioner further shows to the court that there are no liens on this property of any character. That no person or persons than your petitioner is entitled to share in the distribution of said awards. Wherefore your petitioner prays that he may be made a party herein and be allowed to file his petition in these proceedings. That an order may be entered in this proceeding for distribution of said awards and that your petitioner may have such other and further relief as the nature of his case may require, and will ever pray, etc.

*Charles Hammock*  
*W. W. Wharton*  
 Counsel

*Wilmer C. Shifflett*  
 By Counsel

STATE OF VIRGINIA

CITY OF HARRISONBURG, To-wit:

This day Wilmer C. Shifflett, the petitioner, in the above entitled matter, personally appeared before me, *Pauline M. Andrews*, a Notary Public in and for the City and State aforesaid, in my City aforesaid, and being duly sworn, deposes and says:

I am the petitioner in the above entitled matter. I am acquainted with the contents of the above petition, and do hereby state that the matters of fact therein set forth are true, to the best of my knowledge and belief.

*Wilmer C. Shifflett*

Subscribed and sworn to before me this 19th day of February, 1934.

*Pauline M. Andrews*  
 N. P.

"Exhibit Certificate Number 1"

TO WHOM IT MAY CONCERN:

I hereby certify that the records of my office show that Wilmer C. Shifflett has paid the taxes for the years 1932 and 1933 on his tract of 33-0-0 acres and one of 2-0-0 acres, both being situate in the Blue Ridge Mountains in Stonewall District, Rockingham County.

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

Given under my hand this 19th day of February 1934.

M. H. Harrison, Treasurer  
of Rockingham County.

By E. A. Zigler Deputy.



STATE OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

"  
*Exhibit Certificate Number 2*  
"

I, J. Robert Switzer, Clerk of the Circuit Court of Rockingham County do hereby certify that the records in my office do not show any delinquent taxes against the tract of 33 acres and 2 acres, respectively, assessed in the name of Wilmer C. Shifflett, situate in Stonewall District.

Given under my hand this 19th day of February, 1934.

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

O. K. *Charles A. Hammer*  
Attorney.

"EXHIBIT 3"

This Deed made this 6 day of August, 1926, by and between Bernard Shifflett, party of the first part, and Wilmer C. Shifflett, party of the second part, both parties of the State of Virginia.

W I T N E S S E T H:

That the said party of the first part, for and in consideration of the sum of five hundred dollars, cash to him in hand paid by the said Wilmer C. Shifflett, the receipt whereof is hereby acknowledged, and the further sum of two hundred dollars together with the accrued interest on a certain note the said party of the first part owes Elmer J. Shifflett due in d years from the date of said note, has bargained, sold and conveyed, with general warranty of title; unto the said Wilmer C. Shifflett the following tracts of land, together with the appurtnances thereto belonging.

Tract No. 1 adjoins the lands of N. C. Herring, George E. Shifflett, Anna Begoon, and the Eiler land, and known as the Theophelus Lawson land; the said tract being conveyed to the said Bernard Shifflett by I. N. Berry and wife, by deed of Record in the Clerk's Office of said County of Rockingham, Virginia, to which reference is hereby made for a more accurate description of said land, the said tract of land containing 33 Acres more or less. Tract No. 2 adjoins the above tract on North East side and being the same conveyed to the said Bernard Shifflett by Barbra A. Herring by a deed of record in the Clerk's Office of Rockingham County, Virginia, to which reference is hereby made for a more accurate description, and containing 2 acres more or less.

To have and to hold unto the said party of the second part forever, and that the said party of the first covenants to and with the said party of the second part that he has the right to convey said land and that he will make such further assurances as may be necessary to perfect the title hereby conveyed to the said grantee. The said party of the first part reserves the pasture on the above tracts of land for the season of 1926.

Witness the following signature and seal the date first above written.

Witness: Bernard <sup>his</sup> X Shifflett Seal  
mark

Susie Reynolds

Rockingham County, To-wit:

I, A. E. Wyant, a Notary Public for the County aforesaid in the State of Virginia, do hereby certify that Bernard Shifflett, single, whose name is signed to the writing hereto annexed bearing date on the 6 day of August, 1926, has acknowledged the same before me in my said County. Given under my hand this 6 day of August, 1926.

A. E. Wyant, N. P.

My Commission expires November 2, 1927.

"  
Exhibit # 4"  
"

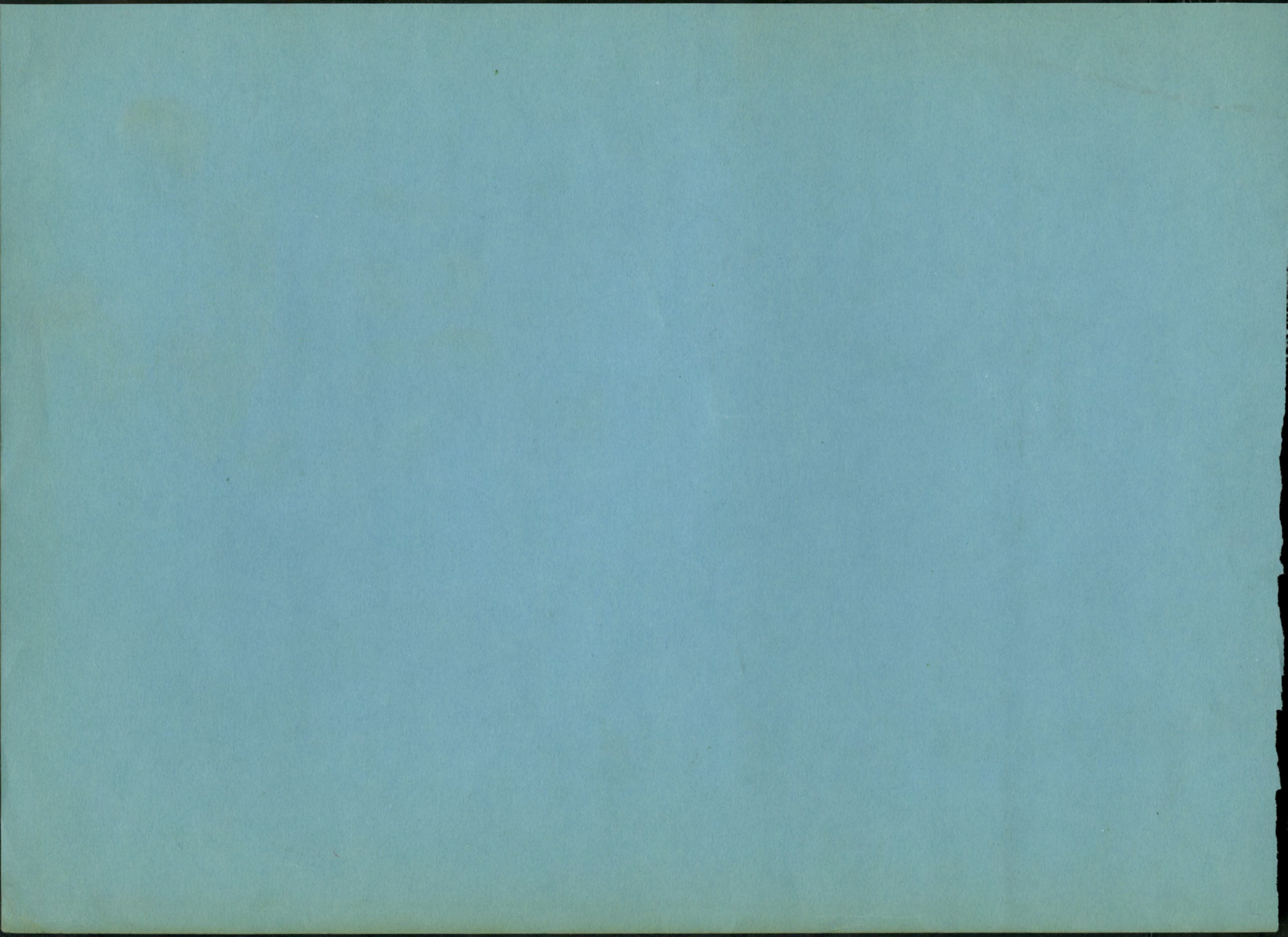
I, Bernard Shifflett, do hereby state that I have no interest or claim in that certain tract of land numbered 170 A in the Park condemning proceeding, and that my name was included therein through error.

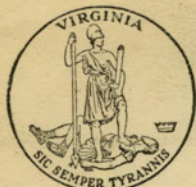
Given under my hand and seal this 19th day of February, 1934.

Bernard Shifflett (SEAL)

Subscribed and sworn to before me this 19th day of February, 1934.

Pauline M. Audrus  
Notary Public





JOHN M. PURCELL  
TREASURER OF VIRGINIA

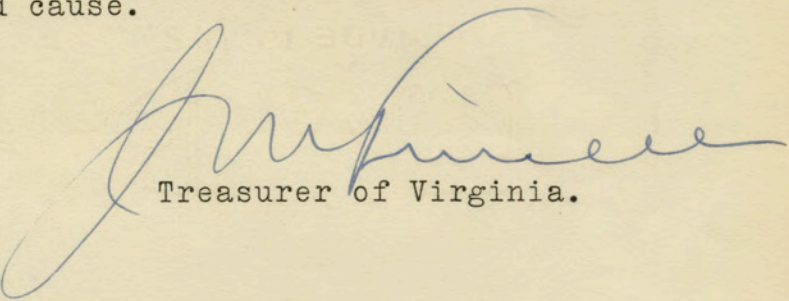
# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

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 et als paid to Chas. A. Hammer and W. W. Wharton, Attorneys Harrisonburg, Virginia \$ 825.00 being in full settlement of tract # 239 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 \$ 825.00, 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 # 239.

*Chas. A. Hammer and  
W. W. Wharton  
attorneys for Wilbur Shipton*

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