

#202-Breeden, D. H. continued-

Orchard: 45 apple trees @ \$1.50.....\$67.50.

Acreage and value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	102	\$3.50	\$357.00
Slope	158	\$2.50	\$395.00
Ridge	13	\$1.00	13.00
Fg	67	\$10.00	\$670.00
Fc	14	\$20.00	\$280.00
	<u>354</u>		<u>\$1715.00.</u>

Summary:

Total value of land.	\$1715.00
Total value of timber	\$1112.50
Total value of improvements	\$675.00
Total value fruit trees	\$67.50
Total value of tract.	<u>\$3570 .00.</u>

*L. M. Farnsworth*

#202-BREEDEN, D. H.

Acreage Claimed: Assessed: 320 Deed: 320  
Value Claimed: Assessed: \$1220. Deed: <sup>\$2,500.00</sup> Not stated  
 Area: 354

Location: Wilson Run, entirely within the Park area.

Incumbrances, counter claims or laps: None so far as known.

Soil: Sandy loam, cove slope and ridge types, and is of a fair depth and fertility. Moderate to steep slopes. Some loose rock and outcrops. No recent burn is evident.

Roads: 10 miles via dirt road, and 14 miles via State Road to Somerset, the nearest shipping point.

History of Tract and condition of timber: This tract will cut by estimate, 313 M Bd. ft. and 330 cds. of bark. The timber consists of chestnut oak, red oak, and a small amount of poplar. Some of the more accessible chestnut oak, red oak, and most of the poplar was removed from this tract in 1922 and 23. The ridge type is covered with a very dense growth of laurel, and has no merchantable timber.

*Copy Yellow Sheet* →

(Bark and timber.....)	\$885.00
<u>Improvements:</u> Dwelling, frame, 17x43, six rooms, porch 10x25, shingle roof, stone flues, 1½ and 2 story, plastered walls, solid foundation, 1½ story log part -weatherboarded, fair condition; spring water.....	\$275.00
Barn, log 15x14x12, shingle roof with shed 12x41, poor condition.....	35.00
Kitchen, 1½ story, frame, 14x16, with porch 6x16, cellar, stone flue, shingle roof, fair condition.....	55.00
Meat House, frame, 10x12, paper roof, fair condition.....	15.00
Corn House, log, 11x12x8, shingle roof, poor con.	5.00
Apple house, log, 11x12, shingle roof, poor con..	5.00
Granary, frame, 16x16x12, shingle roof, poor con..	10.00
Hen House, frame, 17x19x10, shingle roof, good con	35.00
Washhouse, log, 15x19, shingle roof, poor con.....	5.00
Springhouse, stone, 10x12x6, shingle roof, fair con	15.00
	<u>\$455.00</u>

*Agg Value Impr*

*\$675.00*

In the Circuit Court of Madison County, Virginia:

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

Petitioner -

Vs

D.F. Anderson and others and 55,000 acres of land in Madison County, Virginia,

Defendants -

On this, the 12 day of Oct 1935, came D.H. Breeden, and on his motion, leave is given him to file his application for the payment of the sum of \$3570.00, the amount of the award set out in the judgment of condemnation for Tract No. 202 and heretofore paid into Court. And it appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause and in the petition for judgment and condemnation entered herein on the \_\_\_\_ day of December, 1933, that in the opinion of petitioner the said D.H. Breeden is invested with a superior or better right or claim of title in and to the said Tract No. 202, and that the record of this cause does not disclose any denial or dispute by any party or person in interest as to the title to said Tract No. 202, or to the proceeds arising from the condemnation thereof, and is therefore entitled to receive the proceeds arising from the condemnation of Tract No. 202, except as hereinafter provided. And it further appearing to the Court that all taxes due or payable upon said Tract No. 202 have been paid, except for the year 1934; upon consideration whereof, it is considered and ordered by the Court that the said sum of \$3570.00, paid into Court as just compensation for said Tract No. 202, be paid out and distributed as follows:

- |   |         |
|---|---------|
| (1) To A.H. Cave, Clerk, Madison, Va. costs - - - - -       | 2.00    |
| (2) To N.G. Payne, attorney, Madison, Va. fee - - - - -     | 10.00   |
| (3) To B.S. Utz, Treas. Madison, Va. taxes for 1934 - - -   | 23.45   |
| <u>N. G. Payne, Attorney for D.H. Breeden, Madison, Va.</u> |         |
| (4) To <del>#####</del> balance - - - - -                   | 3534.55 |

And the clerk of this court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay out said funds as above provided, the items set forth aggregating the award set out in the judgment of condemnation for Tract No. 202, taking

from said parties to whom the said fund is payable as aforesaid, receipts therefor, and certifying such payment to the clerk of this court for appropriate entry thereof, as provided by law.

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State Commission on Conservation and Development of the State of Virginia

Order for Disbursement of

...

Order -

...

PL-

State Commission on Conserva-  
tion and Development of the  
State of Virginia -

(Order for Distribution of  
Vs (award for Pract No. 202 -

D.F. Anderson and others -

Enter -

  
\_\_\_\_\_  
Judge -

LAW ORDER

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from said parties to whom the said fund is payable as aforesaid, re-  
ceipts therefor, and certifying such payment to the clerk of this  
court for appropriate entry thereof, as provided by law.

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 Madison County at Madison, Virginia**

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

V. At Law No. 82

D. F. Anderson and others, and Fifty-Five Thousand (55,000) Acres, more or less, of land in Madison County, Virginia . . . . . 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. 202 :

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. 202 ----- \$ 3570.00; 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;

D. H. Breeden -

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:—

D. H. Breeden is entitled to the entire fee simple interest, subject to a deed of trust thereon for \$1000.00 -

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:

None, except H. L. Goodall -

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. 202 ----- \$ 3570.00 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)

None -

NAME	P. O. ADDRESS
<i>D. H. Breeden</i>	Graves Mill, Va.

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.

This is to certify that there are ...No... delinquent taxes of record in my office to the amount of \$..... against the tract of land owned by D. H. Breeden..... which is designated as Tract No. 202...; Tract No.....; Tract No..... on the County Ownership Map filed in my Office in the action at Law pending in the name and style of the Commission on Conservation &c., vs. W. D. Anderson, and others.

Given under my hand this 3rd day of ... Oct. ...., 1935.

..... A. H. Cave ..... Clerk..  
Circuit Court, Madison County, Virginia

By *Bertha H. Patten* ..... Deputy  
Clerk

This is to certify that there are ..... <sup>1934</sup> 1933 taxes of record  
in my office to the amount of \$ 23.45 against the tract of land  
owned by ..... D. H. Breeden. ....  
..... which is  
designated as Tract No. 202 ; Tract No. .... ; Tract No. ....  
on the County Ownership Map filed in my Office in the action  
at Law pending in the name and style of the Commission on  
Conservation &c., vs. W. D. Anderson, and others.

Given under my hand this 3rd day of October, 1935.

Treasurer, Madison County, Virginia

By ..... Deputy  
Treasurer