

County: Madison
District: Roberson

Claimant #80 - Brown, O. R.

Acreage Found: 140 A. *By Survey* Assessed: 293 A.

Location: On south slopes of Old Rag Mountain from Position #35 to Position #40 and partly outside of Park Area.

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

Soil: A sandy loam of fair depth and fertility, occurs over the entire tract with considerable loose rocks in some places.

Roads: Seventeen miles of dirt road and approximately ten miles of macadam road to Culpeper, the nearest shipping point.

History of tract and condition of timber: This tract has been cut over repeatedly for saw timber and tan bark. Apparently logging operations have been in progress during the past winter and bark was being cut and removed when inspected.

Improvements: None.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope (burned)	86	\$2.00	\$172.00
"	40	\$2.50	\$100.00
Ridge	9	\$1.00	\$ 9.00
Fr	5	\$5.00	\$ 25.00
	<u>140</u>		<u>\$306.00.</u>

Summary:

Total value of land. \$306.00
Total value of tract. \$306.00.

L. W. Farmer, Sec.

#80 - Brown, O. R.

<u>Acreage Claimed:</u>	80	Assessed	293	Deed	9/10 int. in 342.
<u>Value Claimed:</u>	\$960.00	"	\$2844.00	"	Not stated.

Location: On south slopes of Old Rag Mountain from Position #35 to Position #40 and partly outside of Park area.

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

Soil: A sandy loam of fair depth and fertility, occurs over the entire tract with considerable loose rocks in some places.

Roads: Seventeen miles of dirt road and approximately ten miles of macadam road to Culpeper, the nearest shipping point.

History of tract and condition of timber: This tract has been cut over repeatedly for saw timber and tan bark. Apparently logging operation have been in progress during the past winter. *and bark was being cut and removed when inspected.*

Improvements: None.

Value of land by types:

Type	<u>Acreage</u>	<u>Value</u> per acre	<u>Total</u> Value
Slope (burned)	86	\$1.00	\$86.00
Slope	40	1.50	60.00
Ridge	9	.75	6.75
Fr	5	4.00	20.00
	<u>140</u> (By Survey)		<u>172.75</u>

Total value of land : \$172;75

Total value of tract 172.75

Average value per acre 1.23

Claim of Oscar R Brown
In the Circuit Court of Madison County, Virginia, No. 82, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. W. D. Anderson & others

more or less, of land in Madison 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 Madison County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Oscar R Brown
My Post Office Address is Ellan 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 80 acres, on which there are the following buildings and improvements: None

This land is located about 2 miles from Ellan Virginia, in the Robertson 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 Lizzie Dodson
South Oscar R Brown
East 11
West F. J. Smith

I acquired my right, title, estate or interest to this property about the year 1930 in the following manner:

By securing deed from L. J. Brown & others

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 960.00. 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 \$ _____.

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: _____

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 12 day of July, 1930. Oscar R Brown

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

The undersigned hereby certifies that Oscar R Brown 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 12 day of July, 1930.

H. J. Ridenour, Jr.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

O. B. Brown

0821-11-30

Claim of _____
in the Circuit Court of _____ County, Virginia, No. _____
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. _____

more or less of land in _____ 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 _____ County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is _____
My Post Office Address is _____

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

This land is located about _____ miles from _____
_____ Magisterial District of said County, Virginia, in _____

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 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.)

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

South _____
East _____
West _____

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

I claim that the total value of 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: _____

(Continue remarks if necessary on the back.)

Witness my signature (or my name and mark attached hereto) this _____ day of _____, 1930.

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

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 _____ day of _____, 1930.

Notary Public or Justice of the Peace
Clerk of the Court or Special Investigator in _____

O. P. Brown
3110
114-1930
2000
O. P. Brown

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 2nd day of February, 1934, came Rosa Brown, widow of O.R. Brown, dec'd. who died intestate since the filing of the report of the Board of Appraisal Commissioners, and Eva Brown Murray and Lillian Brown, the two children of the late O.R. Brown, and his only heirs at law, and on their motion, leave is given them to file their application for the payment of \$306.00, the amount of the award set out in the judgment of condemnation for Tract No. 80 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 4th day of December, 1933, that in the opinion of petitioner the said Rosa Brown, Eva Brown Murray and Lillian Brown are invested with a superior or better right or claim of title in and to the said Tract of land No. 80, or to the proceeds arising from the condemnation thereof, and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 80 except as herein provided. And it further appearing to the Court that all taxes due or payable upon said Tract No. 80 have been paid, upon consideration whereof, it is considered and ordered by the Court that the sum of \$306.00, paid into Court as just compensation for Tract No. 80 be paid out and distributed as follows:

- | | |
|---|---------|
| (1) To N.G. Payne, atty. Madison, Va. fee and costs | \$12.00 |
| (2) To Rosa Brown, Etlan, Va. for her commuted dower int. | \$66.42 |
| (3) To Eva Murray, Etlan, Va. one half of balance | 113.79 |
| (4) To Rosa Brown, Etlan, Va. for Lillian Brown | 113.79 |

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 the said fund as above provided, the items set forth aggregating the award set out in the judgment of condemnation for Tract No. 80, taking from said parties to whom the 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.

appropriate entry thereof, as provided by law.

therefor, and certifying such payment to the Clerk of this Court for from said parties to whom the fund is payable as aforesaid, receipts award set out in the judgment of condemnation for Tract No. 80, taking the said fund as above provided, the items set forth aggregating the copy of this order to the Treasurer of Virginia, who shall pay out And the Clerk of this Court is directed to transmit a certified

(1) To Rosa Brown, Eflin, Va. for Lillian Brown 113.70

(2) To Eva Murray, Eflin, Va. one half of balance 113.70

(3) To Rosa Brown, Eflin, Va. for her commuted dower int. 200.42

(4) To Z.G. Payne, Atty. Madison, Va. fee and costs 212.00

For Tract No. 80 be paid out and distributed as follows:

Court that the sum of \$300.00, paid into Court as just compensation said, upon consideration whereof, it is considered and ordered by the Court that all taxes due or payable upon said Tract No. 80 have been Tract No.80 except as herein provided. and it further appearing to the titled to receive the proceeds arising from the condemnation of said proceeds arising from the condemnation thereof, and are therefore en-

State Commission on Conservation and Development

(Order for Distribution of Vs (the award - Tract No.80 - D.F.Anderson and others

Enter - Judge - *L.A.*

Murray and Lillian Brown are invested with a superior or better right 1933, that in the opinion of petitioner the said Rosa Brown, Eva Brown judgment and condemnation entered herein on the day of December, Commission heretofore filed in this cause and in the petition for court and it appearing in the report of the Board of Appraisal for judgment of condemnation for Tract No. 80 and heretofore paid into the amount of the award set out in the law, and in this motion, leave is given them to file their application for the two children of the late O.R. Brown, and his only heirs at the Board of Appraisal Commissioners, and Eva Brown Murray and Lillian

O.R. Brown, dec'd. who died intestate since the filing of the report of

On this, the 2nd day of February, 1934, came Rosa Brown, widow of

Land in Madison County, Virginia; Defendants - D. F. Anderson and others and \$5,000 acres of

vs Petitioner - Development of the State of Virginia;

The State Commission on Conservation and

In the Circuit Court of Madison County, Virginia;

LAW ORDER BOOK 9 PAGE 149

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. 80 : 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. 80 \$ 306.00; 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;

The report shows that the land is owned by O. R. Brown - Since the filing of the report the said O. R. Brown died intestate, and is survived by his widow, Rosa A. Brown, and two children, Eva Brown Murray, aged 24, and Lillian Brown, an infant, aged about 15 -

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:—

The undersigned is entitled to the entire award - There being no debts due by the late O. R. Brown, and they having inherited the said land -

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 - All taxes on the said land have been paid up to and including the year 1933 -

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. 80 \$ 306.00; 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)

The age of Rosa A. Brown is 46, and the undersigned ask that her dower interest be commuted, and that the interest of Lillian Brown in said award be paid to her mother, Rosa A. Brown who shall use the same for her education and support -

NAME	P. O. ADDRESS
X. <u>Rosa Brown</u>	<u>Etlan, Virginia -</u>
X. <u>Eva Murray</u>	<u>Etlan, Virginia -</u>
X. <u>Lillian Brown</u>	<u>Etlan, Virginia -</u>
_____	_____
_____	_____

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 . . . O.R. Brown which is designated as Tract No. 80 ; 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 . 24 . day of . . . January , 193 . 4 .

..... *A. H. Case* Clerk..
Circuit Court, Madison County, Virginia

By *Bertha N. Patti* Deputy
Clerk

This is to certify that there are . . . No. . . . 1933 taxes of record
in my office to the amount of \$ against the tract of land
owned by O. . R. . Brown,
. which is
designated as Tract No. 80 . . . ; 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 30 . day of January, 1934 .

B. S. [Signature]

Treasurer, Madison County, Virginia

By Deputy
Treasurer