



County: Madison  
District: Roberson

#179 - J. B. Early - ~~estate~~ *et als.*

Acreage Claimed:

Assessed 4

Deed 4

Value Claimed:

Assessed \$40.00

Deed Not available.

Area: 4 acres by actual survey.

Location:

Head of Dark Hollow and entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil:

The soil is a fertile sandy loam, deep on the lower end, but shallow on the upper. There are some rock outcrops. There is a gentle slope to the south. The lower portion has a fine blue grass sod, but the remainder has considerable rock and brush. The spring is very good.

Roads:

It is nine miles over rough roads, with the exception of one mile which is paved to Stanley, the nearest shipping point.

History of tract and condition of timber: The tract has been cleared

for many years and only a few dead chestnut remain.

Improvements: Barn: Log, shingle roof, poor condition -- \$15.00

Spring house: Log, shingle roof, fair con-

dition -- Corn Hous + Sheds  
Total value Improvements \$50.00

5.00  
\$20.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Grazing	4	\$25.00	\$100.00

Total value of land \$100.00

Total value of improvements 20.00

Total value of tract \$120.00

Average value per acre \$30.00

Claim of A. H. Care et als.  
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 et als &  
55000 acres of land

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 A. H. Care  
My Post Office Address is Madison 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 4 acres, on which there are the following buildings and improvements:  
none

This land is located about 2 miles from Rapids Camp 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).

Joint owner

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

I acquired my right, title, estate or interest to this property about the year 1924 in the following manner:  
by deed from R. S. Graves et als.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 400.00. 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 \$ 400.00.

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 10 day of June, 1936.

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

The undersigned hereby certifies that A. H. Care 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 10 day of June, 1936.

seputy Bertha M. Pattie  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Claim of *W. G. ...*  
In the Circuit Court of the State of Virginia, County of *Madison*,  
The State Commission on Conservation and Development of the State of Virginia, Petitioner,  
vs.  
*W. G. ...*  
Respondent.

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 *W. G. ...*  
My Post Office Address is *Madison ...*  
I claim a right title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about *4* acres, on which there are the following buildings and improvements:

This land is located about *5* miles from *Madison* in the *Madison* 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 the tract or parcel of land described above.)

The land owned adjacent to the above described tract or parcel of land is as follows:  
North *...*  
South *...*  
East *...*  
West *...*

I acquired my right title, estate or interest in this property about the year *1951* in the following manner:  
*...*

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ *400.00*. 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 \$ *400.00*. 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:  
*...*

I witness my signature (or my name and mark attached hereto) this *10* day of *June*, 1951.  
STATE OF VIRGINIA, COUNTY OF *Madison*.  
To-wit: *W. G. ...*  
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, and things appearing in his above answer are true to the best of his knowledge and belief, this *10* day of *June*, 1951.  
*W. G. ...*  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

*Case (over)*  
*Filed 6/10/51*  
*Seal: C. M. ...*

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 2<sup>nd</sup> day of February, 1934, came B.S.Utz, A.H.Cave, J.B. Fray, W.H.Goodall, W.M.Pattie, J.R.Clore, R.S.Graves and J.B.Early, and on their motion leave is given them to file their application for the payment of \$230.00, the amount of the award set out in the judgment of condemnation for Tract No.179 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 4<sup>th</sup> day of December, 1933, that in the opinion of the petitioner the said B. S. Utz, A. H. Cave, J. B. Fray, W. H. Goodall, W. M. Pattie, J. R. Clore, R. S. Graves and J. B. Early are invested with a superior or better right or claim of title in and to the said Tract of land No. 179, 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. 179, except as herein provided; and it further appearing to the court that all taxes due or payable upon said Tract No. 179 have been paid.

Upon consideration whereof it is considered and ordered by the court that the sum of \$230.00 paid into court by the petitioner as just compensation for Tract No. 179 be paid out and distributed as follows:

- |   |          |
|---|----------|
| (1) To N.G.Payne#, atty. Madison, Va. fee and costs | \$ 10.00 |
| (2) To B.S.Utz, agent, Madison, Va. for balance     | \$220.00 |

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 fund as above provided, the items set forth aggregating the ### award set out in the judgment of condemnation for Tract No. 179, 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.

as provided by law.

and such payment to the Clerk of this Court for appropriate entry thereof, to whom the fund is payable as aforesaid, receipts therefor, and certify in the judgment of condemnation for Tract No. 179, taking from said parties as above provided, the items set forth aggregating the \$444 award set out of this order, to the Treasurer of Virginia, who shall pay out said fund

And the Clerk of this Court is directed to transmit a certified copy

(2) To B.S. Uex, agent, Madison, Va. for balance \$230.00

(1) To K.G. Payne, atty. Madison, Va. fee and costs \$ 10.00

sation for Tract No. 179 be paid out and distributed as follows:

that the sum of \$230.00 paid into court by the petitioner as just compen-

Upon consideration whereof it is considered and ordered by the court Tract No. 179 have been paid.

further appearing to the court that all taxes due or payable upon said the condemnation of said Tract No. 179, except as herein provided; and it thereof, and are therefore entitled to receive the proceeds arising from

Tract of land No. 179, or to the proceeds arising from the condemnation with a superior or better right or claim of title in and to the said all M. M. Early, J. R. Cloro, R. S. Graves and J. B. Early are invest of the petition for the said R. S. Uex, A. H. Cave, J. B. Early, W. H. Good ent, heretofore the said date December, 1933, that in the opinion this cause and in the Board of Appraisal Commissioners heretofore the amount of the award set out in the judgment of con- mented \$230.00 the amount of the award set out in the judgment of con- demnation for Tract No. 179 and heretofore paid into Court. And it appears their petition have is given them as to the their application for the pay-

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

(Order for the Distribution of the award for Tract No. 179 -

D. F. Anderson and others -

LAW ORDER

BOOK 9 PAGE 156

Frax, W.H. Gooddall, W.M. Pattie, J.R. Cloro, R.S. Graves and J.B. Early, and on On this, the 2nd day of February, 1934, came B.S. Uex, A.H. Cave, J.B.

land Madison County, Virginia,

Defendants -

vs

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

Petitioner -

In the Circuit Court of Madison County, Virginia;

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. 179-----: 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. 179----- \$230.00; 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;

**B. S. Utz, R. S. Graves, and others -**

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:—

**Your undersigned claim the fee simple interest in said Tract No. 179, and the entire award made for 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 -**

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. 179----- \$230.00: 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
<i>B. S. Utz, R. S. Graves</i>	-----
<i>J. B. Early, W. H. Goodall</i>	-----
<i>W. H. Goodall</i>	-----
<i>J. B. Early</i>	-----
<i>R. S. Graves, J. B. Early</i>	-----

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. . . . . 1933 taxes of record  
in my office to the amount of \$ . . . . . against the tract of land  
owned by . . . . B. S. Utz & others. . . . .  
. . . . . which is  
designated as Tract No. 179; 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 . . . . day of . . . . ., 193 . . . .

*B. S. Utz*  
Treasurer, Madison County, Virginia

By . . . . . Deputy  
Treasurer