

County: Madison
District: Roberson

Claimant #340 - Fray, J. D. & H. B.,
and Mrs. W. R. Ross.

Acreage Found: 764 Assessed 996 A.

Location: On Haywood Mountain - wholly within Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam; slopes gentle to steep, in part rocky.

Roads: Ten miles to Criglersville; thence seventeen miles via State Highway to Culpeper, nearest railroad.

History of tract and condition of timber: Mixture of chestnut oak, red oak, white oak and poplar in cove; scattered merchantable trees on slope. Land not burned recently.

Chestnut oak	..	130 M. ft.	saw timber	
Poplar	..	71 M. ft.	" "	
Red Oak	..	68 M. ft.	" "	
White oak	..	52 M. ft.	" "	
Miscellaneous	..	9 M. ft.	" "	
		<u>330 M. ft.</u>	@ \$4.00	-----\$1320.00.

100 cords chestnut bark				
		at \$1.50	--	\$ 150.00
				<u>\$1470.00.</u>

Since this timber was cruised, this timber has been sold to the Ward-Rue Lumber Company and is now being cut and removed.

Improvements: Dwelling: Log, 15x17', 2 rooms, shingle roof, 1½ story, fair condition, occupied by tenant, spring water supply.
Barn: Log and frame, 12x16x6', shingle roof, fair condition.
Kitchen and shed: Log, 12x20', 3 rooms, fair condition.
Spring house: Log, 6x8', poor condition, no value.
Hen house: 8x8x6', fair condition.
Cellar:

Total value of improvements -- \$295.00.

Fruit & nut trees \$25.00.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	322	\$2.50	\$805.00
Cove	43	\$5.00	\$215.00
Woodland grazing	196	\$10.00	1,960.00
Grazing	203	\$25.00	5,075.00
	<u>764</u>		<u>\$8,055.00</u>

County: Madison
District: Roberson

Claimant #340 - Fray, J. D. & H. B.,
and Mrs. W. R. Ross.
(continued)

Summary:

Total value of land.	\$8,055.00
Total value of improvements	295.00
Total value of fruit & nut trees.	25.00
	<u>\$8,375.00.</u>

Note: The county deed book records are not clear as to the exact acreage of either this or the adjoining tract owned by J. D. & H. B. Fray. Neither can any evidence on the ground be found marking the division line between these two tracts.

L. H. Farmer, Sec.

#340 - Fray, J.D., & H.B.,
and Mrs. W. R. Ross

Acreage and value of land by types: (continued)

<u>Types:</u>	<u>Acreage:</u>	<u>Value per acre</u>	<u>Total Value</u>
Grazing II.	126	\$25.00	\$3150.00
Grazing III.	57	10.00	570.00
	<u>764</u>		<u>\$6251.00</u>

Total value of land: \$6251.00
 Total value of improvements: 170.00
 Total value of timber and bark: 1470.00
 Total value of tract:---- \$7891.00

Average value per acre: \$10.32

xNote: The county deed book records are not clear as to the exact acreage of either this or the adjoining tract owned by J.D. & H.B.Fray. Neither can any evidence on the ground be found marking the division line between these two tracts.

#340 - Fray, J. D. & H. B.,
 and Mrs. W. R. Ross

Acreage Claimed: Assessed: 996 A. Deed: No field sheet
Value Claimed: Assessed: \$2988.00 Deed:
 x
 Area: 764 Acres.

Location: On Haywood Mountain - wholly within Park area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam; slopes gentle to steep, in part rocky.

Roads: Ten miles to Criglersville; thence seventeen miles via State Highway to Culpeper, nearest railroad.

History of tract and condition of timber: Mixture of chestnut oak, red oak, white oak and poplar in cove; scattered merchantable trees on slope. Land not burned recently.

Chestnut oak	..	130 M. ft.	saw timber	
Poplar	..	71 M. ft.	" "	
Red oak	..	68 M. ft.	" "	
White oak	..	52 M. ft.	" "	
Miscellaneous	..	9 M. ft.	" "	
		<u>330 M. ft.</u>	@ \$4.00	----- \$1320.00

100 cords chestnut bark

at \$1.50 -- 150.00
Since this timber was cruised, this timber has been sold to the Ward Run Lumber Co and is now being cut and removed.
 \$1470.00

Improvements: Dwelling: Log, 15x17', 2 rooms, shingle roof, 1½ story, fair condition, occupied by tenant, spring water supply --- \$100.00
Barn: Log and frame, 12x16x6', shingle roof, fair condition -- 10.00
Kitchen and shed: Log, 12x20', 3 rooms, fair condition -- 50.00
Spring house: Log, 6x8', poor condition, no value --
Hen house: 8x8x6', fair condition -- 10.00
Cellar \$170.00
Log Value Impr \$295.00
Fruit & nut trees \$25.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	322	\$1.50	\$483.00
Cove	43	4.00	172.00
Woodland grazing	196	6.00	1176.00
Grazing I	20	35.00	700.00

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: _____

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

I am 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.)

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 _____ in the following manner: _____

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: _____

(Continue remarks if necessary on the back.)

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

day of _____ 1930.
Clerk of the Court or Special Investigator or Notary Public or Justice of the Peace

Richard D. Gray
W. S. C. City
Filed Aug 11-1931
State: District and

Miller

State Commission on Conservation and Development of the State of Virginia

Order for payment of
Vs
award for Tract No. 340 -
D. F. Anderson and others -

Enter -

J. H. L.

Judge

LAW ORDER BOOK 9 PAGE 93

and 94

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 sum as above provided, the items above set forth representing the

entry thereof, as provided by law -
certifying such payment to the clerk of this court for appropriate

From said parties to whom the fund is payable receipts therefor, and

The addressees of the said parties are as follows:

- H. B. Gray - - - - - Madison, Virginia -
- W. S. Blankenship - - - - - Madison, Virginia -
- W. G. Payne, executor - - - - - Madison, Virginia -

Mrs. Florence H. Gray, Admrx. - - - - - Madison, Virginia -

Enter -

Judge -

thousand, three hundred and seventy five dollars, paid into court as
Gray, it is considered and ordered by the court that the sum of eight
heretofore conveyed her interest in the said land to the said H. B.
deceased, is entitled to 3/8 of the said award, Mrs. W. R. Rose having
filed to 5/8 of the said award, and that the estate of J. D. Gray,

Virginia: In the circuit court of Madison County:

titled to 5/8 of the said award, and that the estate of J. D. Fray,

The State Commission on Conservation and Development of the State of Virginia - - - - - Petitioner - heretofore conveyed her interest in the said land to the said H. B.

Fray, it is considered and ordered by the court that the sum of eight Vs(At Law No. 82)

thousand, three hundred and seventy five dollars, paid into court as

contribution for said tract 340, to be paid out and dis-

D. F. Anderson and others, and 55,000 acres of land in Madison county - - - - - Defendants -

On this the 13th day of January, 1934, came H. B. Fray, and Florence H. Fray, Administrator of J. D. Fray, deceased, and in her own right, A. Hester Fray, J. B. Fray, J. H. Fray, Florence H. Fray and Mary Ellen Fray, and on their motion leave is granted them to file their application for the payment of the sum of \$8375.00, the amount of the award set out in the judgment of condemnation for tract No. 340, 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 ~~#####~~ ~~#####~~ on the _____ day of December, 1933, that in the opinion of the petitioner, the said H. B. Fray, Florence H. Fray, Administrator of J. D. Fray, decd., and in her own right, A. Hester Fray, J. B. Fray, J. H. Fray, Florence H. Fray and Mary Ellen Fray are invested with a superior or better right or claim of title in and to the said tract No. 340, or to the proceeds arising from the condemnation thereof, except as hereinafter provided, and it further appearing to the court that W. S. Blankenbaker is entitled to the sum of \$1600.00, with interest thereon from the 16th day of March, 1932, to be paid from the 5/8 interest of the said H. B. Fray in said award, and it further appearing to the court that the said H. B. Fray is due the State Commission on Conservation and Development of the State of Virginia, the sum of \$37.50 for donation of land, and that the said H. B. Fray has agreed that the said sum of \$37.50 be paid to N. G. Payne, Attorney, to be held by him until the said donation is paid to the proper parties; upon consideration whereof, it appearing that the said H. B. Fray is en-

titled to 5/8 of the said award, and that the estate of J. D. Fray, deceased, is entitled to 3/8 of the said award, Mrs. W. R. Rose having heretofore conveyed her interest in the said land to the said H. B. Fray, it is considered and ordered by the court that the sum of eight thousand, three hundred and seventy five dollars, paid into court as compensation for said Tract ~~#####~~ No. 340, be paid out and distributed as follows:

1	- To B. S. Utz, Treasurer, Madison, Va. - - - - -	\$ 34.31
2	- To N. C. Payne, Attorney, for donation to insurance	37.50
3	- To W. S. Blankenbaker for bond and interest -	1776.11
4	- To H. B. Fray for balance of 5/8 interest -	3386.46
5	- To Florence H. Fray, Administratrix of J. D. Fray, deceased, for 3/8 interest in award - - - - -	3140.62
	Total - - - - -	\$ 8375.00

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 the said sum as above provided, the items above set forth aggregating the award set out in the judgment of condemnation for tract No. 340, taking from said parties to whom the fund is payable receipts therefor, and certifying such payment to the clerk of this court for appropriate entry thereof, as provided by law -

- The addresses of the said parties are as follows:
- ~~N. C. Payne, attorney, - - - - - Madison, Virginia -~~
 - W. S. Blankenbaker - - - - - Madison, Virginia -
 - H. B. Fray - - - - - Madison, Virginia -
 - Mrs. Florence H. Fray, Admrx. Madison, Virginia -

Enter -

Judge -

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. 340 : 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. 340 \$ 8375.00, 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;

J. D. Fray, H. B. Fray and Mrs. W. R. Rose

That Mrs. W. R. Rose has sold her undivided interest in said tract of land to H. B. Fray - See deed herewith filed - That J.D. Fray is dead and his 3/8 undivided interest is owned by his wife and children -

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:—

H. B. Fray is entitled to 5/8 of the said award, subject to a deed of trust executed by H.B.Fray and wife to N.G.Payne, Trustee, dated Mch. 16th 1932, and recorded in D.T.B. 7, p.296, conveying a 3/8 interest to secure to W.S.Blankenbaker \$1600.00, and the heirs of J.D.Fray own a 3/8 undivided interest in said award.

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. 340 \$ 8375.00. 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)

That the widow and heirs at law of the late J.D.Fray, who died intestate, about 9 years ago, are as follows: Florence H.Fray, widow, and five children, all over 21 years of age, to-wit: A.Hester Fray, J.B.Fray, J.H.Fray, Florence H.Fray and Mary Ellen Fray, and said children request that the award be paid to Florence H.Fray,

Admrx. J.D.Fray, decd NAME

P. O. ADDRESS

<i>H. B. Fray</i>	_____	_____
<i>Florence H. Fray</i>	_____	<i>Madison, Va</i>
<i>J. Hester Fray</i>	_____	"
<i>J. B. Fray</i>	_____	"
<i>J. H. Fray</i>	_____	"
<i>Florence H. Fray</i>	_____	"
<i>Mary Ellen Fray</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 1933 taxes of record
in my office to the amount of \$ 34.31. against the tract of land
owned by H. B. Fray and others
(known as Haywood Mt. tract) which is
designated as Tract No. 340 ; 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 12th day of January, 1934 .

B. S. Utz

Treasurer, Madison County, Virginia

By *J. B. Fray* Deputy
Treasurer

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 ...H.B.Fray. & others..... which is designated as Tract No. 340...; 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 10 day of January....., 1934..

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

By .. *Bertha M. Patton* 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 . . . J. D. Fray Estate (which is 3/8 of 996 acres known . . .
. . . as Haywood Mt. tract) which is
designated as Tract No. 340 . . . ; 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 12th day of . . . January, 1934 . . .

.
B. S. Utz

Treasurer, Madison County, Virginia

By . . . *J. B. Fray* Deputy
Treasurer