

County: Madison
District: Roberson

Claimant#49 - Highland Baptist Church.

Acreage Found: $\frac{1}{2}$

Location: Near Old Rag P. O. Entirely within the Park Area.

Incumbrances, counter claims or laps: None.

Soil:

Roads:

History of tract and condition of timber:

Improvements: Church, frame, 18 x 25, 1 room, shingle roof, 1 story,
poor condition, ceiled, abandoned, post foundation -- \$100.00.
Including lot value.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	$\frac{1}{2}$ A. valued with Bldg.		

Summary:

Total value of lot & improvements.	\$100.00
Total value of property.	\$100.00.

Note: H. J. Berry, Trustee, Old Rag, Virginia.

L. W. Farmer, Sec.

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County: Madison
District: Roberson

#49 Highland Baptist Church

Acreage Claimed: Assessed Deed

Value Claimed: " "

Location: Near Old Rag P.O. Entirely within the Park Area

Incumbrances, counter claims, or laps: none

Soil:

Roads:

History of tract and condition of timber:

Improvements: Church, frame, 18 x 25, 1 room, shingle roof, 1 story, poor cond. ceiled, abandoned, post founda'n. \$150, ~~\$100~~ ^{**}
Including lot value

<u>Value of land by types:</u>		<u>Value</u>	<u>Total</u>
<u>Type</u>	<u>Acreage</u>	<u>per acre</u>	<u>Value</u>

Total value of land and improvements \$150

Total value of tract \$150

Claim of #49 Highland Baptist Church
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. Anderson et als

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 Claim of Highland Baptist Church
My Post Office Address is Old Rag

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 1 acres, on which there are the following buildings and improvements: Church

This land is located about 1/2 miles from Old Rag Virginia, in the Roberson 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 }
South }
East } Elmer Hyer
West }

I acquired my right, title, estate or interest to this property about the year 1912 in the following manner:
Deed of gift for land, built church

I claim that the total value of this tract or parcel of land with the improvements thereon is \$100.00. 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 \$100.00

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 30th day of April, 1930.
H. J. Berry - Trustee

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

The undersigned hereby certifies that H. J. Berry 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 30th day of April, 1930.

John Daniels
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Claim of _____
in the Circuit Court of _____ 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 _____ 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 last 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 _____ Virginia, in the _____ 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.)

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 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 with the Park area to the extent of \$_____.
(In the space below, 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 as

7-12-30 May 2-1931
W. H. C. and D. H.

Highland Baptist Church
70
Andrews Ave. - Sta.

In the Circuit Court of Madison County, Virginia,

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 _____ day of January, 1934, came Howard J. Berrey,
Trustee of Highland Baptist Church, and on his motion, leave is given
him to file his application for the payment of \$100.00, the amount of
the award set out in the judgment of condemnation for Tract No. 49
and heretofore paid into Court. And it further 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 petitioners
the said Howard J. Berrey, Trustee, is invested with a superior or
better right or claim of title in and to the said Tract No. 49, and that
the record of this cause does not disclose any denial or dispute as to
the title to said Tract No. 49, or to the proceeds arising from the
condemnation thereof, except as herein provided, and it further appearing
to the Court that all taxes due or payable upon said Tract No. 49 have
been paid, upon consideration whereof, it is considered and ordered by
the Court that the sum of \$100.00, paid into Court as just compensation
for Tract No. 49, be paid out and distributed as follows:

- (1) To N.G. Payne, atty. Madison, Va. fee and cost
for trustee of Highland Baptist Church
- (2) To Howard J. Berrey, Trustee Highland Baptist
Church, Oldrag, Va.

\$12.00

\$100.00

~~\$\$\$.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. 49, 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 required by law.

thereof, as required by law.

certifying such payment to the Clerk of this Court for appropriate entry
parties to whom the fund is payable as aforesaid receipts therefor, and
out in the judgment of condemnation for Tract No. 49, taking from said
fund as above provided, the items set forth aggregating the award set
copy of this order to the Treasurer of Virginia, who shall pay out said

And the Clerk of this Court is directed to transmit a certified
Church, Virginia.

(S) *J. Howard J. Berrey, Trustee Highland Baptist*

(I) To W.C. Payne, atty. Madison, Va. fee and cost

for Tract No. 49, be paid out and distributed as follows:

the Court that the sum of \$100.00, paid into Court as just compensation
been paid, upon consideration whereof, it is considered and ordered by
to the Court that all taxes due or payable upon said Tract No. 49 have
condemnation thereof, except as herein provided, and if further appearing
the title to said Tract No. 49, or to the proceeds arising from the

State Commission on Conserva-
tion and Development -

(Order for Distribution of the
Vs
(award - Tract No. 49
D.F. Anderson and others

Judge -

Enter.

L.H.

LAW ORDER

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Trustee of Highland Baptist Church, and on his motion, leave is given

On this, the ___ day of January, 1934, came Howard J. Berrey,

land in Madison County, Virginia, Defendants -

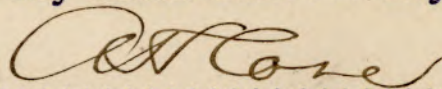
D. F. Anderson and others, and \$2,000 acres of
as

Development of the State of Virginia, Petitioner -

In the Circuit Court of Madison County, Virginia,

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 Howard J. Berrey, Trustee, Highland Baptist Church..... which is designated as Tract No. ..49...; 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 ..17. day of .. January .., 1934..



..... Clerk..
Circuit Court, Madison County, Virginia

By 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 Highland Baptist Church

. which is
designated as Tract No. 49 . . . ; 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 24th day of January, 1934 .

B. S. Utz

Treasurer, Madison County, Virginia

By *J. B. Fray* Deputy
Treasurer

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. 49 :

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. 49 \$ 100.00; 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;

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:—

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:

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. 49 \$ 100.00: 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
<u>Howard F. Berry</u>	<u>Oldrag, Virginia -</u>
<u>Trustee</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.