County: Madison
District: Robinson

Claimant #32 - Price, E. Luther - Madison Co.

Acreage Found: 130 Assessed 247 A. Deed 247 A.

Location: Top of the Blue Ridge north of Stony Man, partly in Page County and entirely within the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam of fair depth and fertility. Much rock. The top of the ridge is level in some places, but most of the tract is steep. The grazing land on the east end has a good sod, but the other grazing land is rocky and brushy.

History of tract and condition of timber: The timber and bark that was merchantable has been removed.

Improvements: None.

Acreage and value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	110	$5.00	$550.00
Wg	17	$10.00	$170.00
Fg	3	$35.00	$105.00
	130		$825.00

Summary:

Total value of land	$825.00
Total value of tract.	$825.00
Less amount paid Right-of-way Skyland Road.	$450.00
Balance due claimant.	$375.00

Note: The deed provided that if any of the land described should lie west of the Shirley line it was not conveyed. This accounts for about six acres of the area. The remaining discrepancy is apparently an error in calculation.

L. W. Farmer, Sec.

County: Madison
District: Robinson

#32 - Price, E. Luther - Madison Co.
(#333 - Price, E. Luther - Page Co.)

Acreage Claimed: Assessed 247 A. 101 P. x Deed 247 A. 101 P. Bought in 1925 $625.

Value Claimed: " $200.00

AREA: 92 A. (By survey)

Location: Top of the Blue Ridge north of Stony Man, partly in (Madison) Page County and entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam of fair depth and fertility. Much rock. The top of the ridge is level in some places, but most of the tract is steep. The grazing land on the east end has a good sod, but the other grazing land is rocky and brushy.

History of tract and condition of timber: The timber and bark that wa merchantable has been removed.

Improvements: None.

Acreage and value of land by types: Madison County:

Type	Acreage	Value per acre	Total Value	Average value per acre.
Slope	110	$2.00	$220.00	$2.24
Ridge	17	1.00	17.00	
Grazing II	3	18.00	54.00	
	130		$291.00	

Acreage and value of land by types: Page County:

Type	Acreage	Value per acre	Total Value	Average value per acre
Slope	50	$2.00	$100.00	$2.41
Ridge	38	1.00	38.00	
Grazing I	1	30.00	30.00	
Grazing II	3	18.00	54.00	
	92		$222.00	

Value of land $513.00
Value of tract 513.00
Average value per acre for tract $2.31

x Note: The deed provided that if any of the land described should lie west of the Shirley line it was not conveyed. This accounts for about six acres of the area. The remaining discrepancy is apparently an error in calculation.

32

Claim of E. L. Price

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
247 acres

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 E. L. Price

My Post Office Address is Luray, Page County, Virginia

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 247 acres, on which there are the following buildings and improvements: None

This land is located about eight miles from Luray Virginia, in the Luray Magisterial District ~~of said County~~ of Page 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 C. N. Spitler and others

South Unkown

East Unkown

West Unknown

I acquired my right, title, estate or interest to this property about the year 1925 in the following manner:

At public sale of T. F. Fox heirs

I claim that the total value of this tract or parcel of land with the improvements thereon is $3,750.00. 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 $3,750.00.

I am the owner of no 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 purchased this land at public sale for a very reasonable figure but there was no fencing nor had it been kept clean. Soon after purchase I made these improvements at my own expense. By losing this land for grazing purposes in summer it will prevent keeping cattle on home farm in winter. (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 14th day of July, 1930.

E. L. Price

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

The undersigned hereby certifies that E. L. Price 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 14th day of July, 1930.

Thomas G. Booton

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

My commission expires Dec. 27, 1933.

This contract will be null and void two years from this date.

IN THE CIRCUIT COURT OF MADISON COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA.

VS.)(ORDER OF DISTRIBUTION TO E. LUTHER PRICE, OWNER

D. F. ANDERSON, &C.

On this, the 31 day of January, 1934, came E. Luther Price, owner, and on his motion leave is hereby given him to file his application for the payment of the sum of Seven Hundred and Forty-Four ($744.00) Dollars, the amount of the award set out in the judgment of condemnation for Tract No. 32, which said award has heretofore been 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 6th day of November, 1933, that in the opinion of petitioner the said E. Luther Price is invested with a superior or better right or claim of title in and to the said Tract of Land No. 32, and that the record in this cause does not disclose any denial or dispute by any party or persons in interest as to the title to said Tract No. 32, but that the State Commission on Conservation & Development of the State of Virginia, has asserted a claim against said property or the proceeds arising from the condemnation thereof in the sum of $368.00, by virtue of that certain deed executed by the said E. Luther Price to said Conservation Commission, and duly of record in the Clerk's Office of Madison County, and the said E. Luther Price is ready and willing that said sum of $368.00 out of this award should be paid to said Commission, and it further appearing to the Court

FORD & KEYSER
ATTORNEYS & COUNSELLORS AT LAW
LURAY, VIRGINIA

that all taxes due or exigible upon said Tract No. 32 have been paid, upon consideration whereof, it is considered and ordered by the Court that the said sum of $368.00 be paid to the State Commission on Conservation & Development of the State of Virginia, Front Royal, Virginia, out of the aforesaid sum of $744.00 paid into Court by petitioner as just compensation for said Tract No. 32, and the sum of $376.00, being the balance of said award, be paid to the said E. Luther Price, and that the Clerk of this Court be, and is hereby, directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay unto the State Commission on Conservation & Development of the State of Virginia, Front Royal, Virginia, the said sum of $368.00, and to Ford & Keyser, Luray, Virginia, attorneys of record for the said E. Luther Price, the sum of $376.00, and certify such payment to the Clerk of this Court for appropriate entry thereof as required by law.

FORD & KEYSER
ATTORNEYS & COUNSELLORS AT LAW
LURAY, VIRGINIA

STATE COMMISSION ON CONSERVATION & DEVELOPMENT OF THE STATE OF VIRGINIA

VS.)(ORDER OF DISTRIBUTION TO E. LUTHER PRICE

D. F. ANDERSON, &C

Entered F.F.S. —

LAW ORDER BOOK 9 PAGE 133

IN THE CIRCUIT COURT OF MADISON COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
& DEVELOPMENT OF THE STATE OF
VIRGINIA

VS.)(IN RE BALANCE OF AWARD TO E. LUTHER PRICE.

D. F. ANDERSON, &C.

This cause came on to be hard again this 2nd day of May, 1934, upon the proceedings heretofore had and the papers heretofore filed and was argued by counsel.

It appearing to the Court that the State Commission on Conservation & Development of the State of Virginia has deposited with the Clerk of this Court a check in the sum of $19.00 pursuant to the authority granted said Commission by an order entered herein on the 17th day of March, 1934, relating to Tract No. 32, and it further appearing that said sum of money is due to E. Luther Price on account of an excess amount retained by the said State Commission on Conservation & Development on account of the purchase by it from the said E. Luther Price of a right of way for the Skyline Drive through said Tract No. 32, and that the said E. Luther Price is now entitled to receive and have paid to him the aforesaid sum of $19.00, all of which fully appears in the order of March 17th, 1934, as aforesaid, on consideration whereof, the Court doth adjudge and order that the Clerk of this Court be, and he is hereby authorized and directed to pay the aforesaid sum of $19.00 to Ford & Keyser, attorneys for the said E. Luther Price.

FORD & KEYSER
ATTORNEYS & COUNSELLORS AT LAW
LURAY, VIRGINIA

STATE COMMISSION ON CONSERVATION & DEVELOPMENT OF THE STATE OF VIRGINIA

VS.)(IN RE BALANCE OF AWARD TO E.LUTHER PRICE.

D. F. ANDERSON, &C.

Entered
PHS.

Pd.

LAW ORDER
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IN THE CIRCUIT COURT OF MADISON COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA

VS.)(PETITION OF E. LUTHER PRICE FOR AN ORDER OF DISTRIBUTION.

D. F. ANDERSON, &C.

TO THE HONORABLE LEMUEL F. SMITH, JUDGE OF THE CIRCUIT COURT OF MADISON COUNTY, VIRGINIA:

Your petitioner, E. Luther Price respectfully represents unto Your Honor as follows:

That the aforesaid E. Luther Price is the owner in fee simple of that certain tract or parcel of land, lying and being situate in Madison County, Virginia, and within the bounds of the proposed Shenandoah National Park, which is known and designated upon the Madison County ownership map filed in the above entitled condemnation proceedings as Tract No. 32 , containing 130 acres; and

That the Special Investigators and Board of Appraisal Commissioners heretofore appointed in these proceedings awarded your petitioner the sum of Eight Hundred and Twenty-Five ($825.00) Dollars as compensation and damages for the taking of the aforesaid tract of land No. 32 from which is to be deducted, however, the sum of Eighty-One ($81.00) Dollars the value ascertained by said Appraisal Commissioners for the value of the land included in the right of way heretofore deeded by your petitioner to the Commonwealth of Virginia for the park roadway, known as the Skyline Drive, leaving the sum of $744.00 as the net compensation and damages for the tract aforesaid, as will more fully appear

FORD & KEYSER
ATTORNEYS & COUNSELLORS AT LAW
LURAY, VIRGINIA

from their report heretofore filed in these proceedings, which said report has been duly confirmed as to the tracts of land aforesaid, and the award for the condemnation thereof ordered to be paid into the custody of the Court, pursuant to an order heretofore recently entered in this cause; and

That the petition for condemnation in this cause states that your petitioner is the apparent fee simple owner of said tract of land, and that the record in this suit does not disclose any denial or dispute of such statement or charge contained in the petition.

Your petitioner further alleges and avers that there are no liens nor encumbrances of any kind whatsoever binding the aforesaid tract or parcel of land, nor taxes due or exigible thereon.

Your petitioner further represents unto Your Honor that the State Commission on Conservation and Development of the State of Virginia has filed a claim against your petitioner in the sum of $368.00, by virtue of that certain deed executed by your petitioner to said Conservation Commission, and duly of record in the Clerk's Office of Madison County, whereby the Conservation Commission paid your petitioner the sum of $449.00 for a right of way across this land and further stipulated that said sum should be treated as a credit on the condemnation award, and your petitioner is ready and willing that said sum of $368.00 out of this award should be paid to said Commission.

Wherefore, your petitioner prays that the Court may make an order which shall be entered in this cause directing that the aforesaid sum of $368.00 shall be forthwith paid over to the State Commission on Conservation and Development of the State of Virginia, and that the sum of $376.00 shall be forthwith paid over to E. Luther Price, the landowner as aforesaid.

Ford & Keyser, p.q. E. Luther Price By Counsel

FORD & KEYSER
ATTORNEYS & COUNSELLORS AT LAW
LURAY, VIRGINIA

STATE OF VIRGINIA,

COUNTY OF PAGE, TO-WIT:

W. V. Ford, being duly sworn says that he is the attorney for the petitioner named in the foregoing petition, and that he knows the contents thereof; that the facts and allegations therein contained are true, except such as are therein stated upon information and belief, and that as to such allegations he believes them to be true.

W. V. Ford

Subscribed and sworn to before me this 23d day of January, 1934.

Margaret Strickler Rolhgt
Notary Public

My commission expires
Feb. 4. 1937.,

I was commissioned Notary as Margaret Strickler

FORD & KEYSER
ATTORNEYS & COUNSELLORS AT LAW
LURAY, VIRGINIA

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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.

On the 14th day of Feb 1934, came the Petitioner by counsel and E. Luther Price also by counsel, and exhibited the record of this proceeding including the order for distribution of the amount set forth in a Judgment in rem entered herein on the 6th day of November, 1933, upon condemnation of Tract No. 32 as shown and described in the Board of Appraisal Commissioners' Report, and showed to the Court that through oversight, Petitioner filed a claim for payment of the sum of $368.00 from the said award as an amount equal to the amount which, under the terms of a contract for the purchase of a right of way, was to be paid over to the Petitioner as and when the said tract should be condemned and paid for which said sum has been paid in full to the Petitioner, Whereas, the amount to which the Petitioner was in fact entitled under the terms of said contract was $349.00, it appearing that $81.00 had already been deducted in Madison County and $20.00 in Page County under said contract by the Appraisal Commissioners in said Counties, from the total of $450.00 which was due under said contract: and the Petitioner prayed the Court for leave to pay the sum of $19.00 into the custody of the Court for the use and benefit of the person entitled thereto, to-wit: the owner of the said tract; the Petitioner having stipulated to make settlement of the entire balance due under the contract, in Madison County, and that Petitioner has stipulated that it will withdraw any claim heretofore filed on account of the balance in Page County.

Upon consideration whereof, leave is granted the Petitioner to pay into the custody of this Court the sum of $19.00 for the use and benefit of the person or persons entitled to receive the award set forth in said judgment for the said Tract No. 32, and to make said payment by paying the said amount to the Clerk of this Court.

Wm
W. Hand, atty
for E. Luther Rice.

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Feb. 14 - 1934

Enter
J.B.

LAW ORDER
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+160