

County: Madison
District: Roberson

Claimant #72 - Simms, C. O.

Acreage Found: 64 Assessed 252 Deed 167.
AREA: 64 A. (By actual survey)

Location: U. S. Positions 24-25-26-27. Part outside of the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam slope type of a good depth and fertility.
Gentle to steep slopes.

Roads: 10 miles via dirt road and 10 miles via hard surface to
Culpeper, the nearest shipping point.

History of tract and condition of timber: There is about 118,000
bd. ft. of merchantable timber on this tract, consisting
of white, red and chest. oaks, poplar and a small amount
of hickory and white pine. No sign of any recent burn,
118,000 ft @ \$5.00 per M. -- \$590.00.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	64	\$5.00	\$320.00

Summary:

Total value of land.	\$320.00
Total value of timber.	\$590.00
Total value of tract.	\$910.00.

L. H. Tanner, Sec.

County: Madison
District: Roberson

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#72 Simms, C. O.

Acreage Claimed: Assessed 352A Deed 167A
Value Claimed: " 5640.00 " 3500.00 (1893)
AREA: 64 A. (By actual Survey)
Location: U.S. Positions 24-25-26-27. Part outside of the Park area.

Incumbrances, counter claims, or laps: None known.

Soil: Sandy loam slope type of a good depth and fertility. Gentle to steep slopes.

Roads: 10 miles via dirt road and 10 miles via hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber: There is about 118,000 bd.ft. of merchantable timber on this tract, consisting of white, red and chest. oaks, poplar and a small amount of hickory and white pine. No sign of any recent burn, 118,000 ft³ (\$1.50) per M (\$177.00)

\$500
\$590.00

Improvements: None

<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>
Slope	64	\$1.50	96.00

Total value of land	96.00
" " " timber	177.00
" " " tract	273.00
Average value per acre	4.26

Claim of Estate of Chas. O. Simms,
In the Circuit Court of Madison County, Virginia, No. _____, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Chas. O. Simms Jr. and 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 Chas. O. Simms Jr.,

My Post Office Address is Etlan, 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 55 acres, on which there are the following buildings and improvements: None

This land is located about one miles from Etlan, 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).

Mrs. E. C. Simms, Miss Ouida M. Simms, Chas. O. Simms Jr., Etlan, Va.

Mrs. J. R. Clore, Criglersville, Va. and J. F. Simms, Penn Laird, Va.

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

North P. B. Nicholson.

South E. R. Call and F. P. Smith.

East W. W. Coppedge, L. P. Rider, J. F. Simms and H. S. Rider.

West F. P. Smith.

I acquired my right, title, estate or interest to this property about the year 1914 in the following manner:

Inheritance

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 1100.00. 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 \$ 1100.00.

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 8th. day of June, 1931, 1930.

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

The undersigned hereby certifies that Chas. O. Simms Jr. 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 8th day of June, 1930.

my com appen 3-27-1933

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

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

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

My name is [illegible]
My Post Office Address is [illegible]

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

This land is located about [illegible] miles from [illegible] Virginia, in the [illegible] Magisterial District of said County.
I claim the following right, title, estate or interest in the tract or parcel of land described above: [illegible] In this space claimant should say whether he is sole owner or joint owner. 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 owners adjacent to the above described tract or parcel of land are as follows:
North: [illegible]
South: [illegible]
East: [illegible]
West: [illegible]

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

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ [illegible].
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 \$ [illegible].
I am the owner of [illegible] 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 [illegible].
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: [illegible]

(Continue remarks if necessary on the back.)
Witness my signature (or my name and mark attached hereto) this [illegible] day of [illegible] 1930.

STATE OF VIRGINIA, COUNTY OF [illegible]
To-wit: [illegible]
The undersigned hereby certifies that [illegible] 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 [illegible] day of [illegible] 1930.

Notary Public or Justice of the Peace
Chief of the Court or Special Investigator of [illegible]

C.O. Shimmus
Filed 5/8/31
Shelli: R.W. Orr
curt

Virginia: In the circuit court of Madison County, Virginia:

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

Vs (At Law No. 82)

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

On this the _____ day of January, 1934, came Emma C. Simms, Ouida
M. Simms, Martha S. Clore, J. Fred Simms and Chas. O. Simms, *(The widow and heirs at law of C.O. Simms)* and on
their motion, leave is granted them to file their application for the
payment of the sum of \$910.00, the amount of the award set out in the
judgment of condemnation for Tract No. 72, and heretofore paid into
court, and it appearing from the report of the Board of Appraisal Com-
missioners, 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 the petitioner, the said Emma C. Simms,
Ouida M. Simms, Martha S. Clore, J. Fred Simms and Chas. O. Simms, all
of whom are sui juris, are invested with a superior or better right
or claim of title in and to the said tract of land No. 72, or to the
proceeds arising from the condemnation thereof except as hereinafter
provided, and it further appearing to the court that all taxes due or
payable upon the said land, known as Tract No. 72, have been paid; upon
consideration whereof, it is considered and ordered by the Court that
the said sum of \$910.00 paid into the court as just compensation for the
said Tract No. 72, be paid out and distributed as follows:

- 1 - To N. G. Payne, Attorney, Madison, Va., for costs
and fee - - - - - \$ 12.00
- 2 - To Emma C. Simms, Etlan, Va. - - - - - 898.00

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 above set forth aggregating the award set
out in the judgment of condemnation for Tract No. 72, 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 en-
try thereof, as provided by law.

By these, as provided by law.

certifying such payment to the clerk of this court for appropriate en-
parties to whom the fund is payable as aforesaid. Receipts therefor, and
out in the judgment of condemnation for Tract No. 73, taking from said
as above provided, the items above set forth and charges for the award set
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

\$ - to Emma C. Simms, Ellen, Va. - - - - - \$22.00

and fee - - - - - \$ 15.00

I - to W. G. Payne, Attorney, Madison, Va., for costs - - - - -

said Tract No. 73, be held out and distributed as follows:
the said sum of \$410.00 paid into the court as just compensation for the
condemnation thereof, it is considered and ordered by the Court that
belonging upon the said land, known as Tract No. 73, have been paid; upon
provided, and it further appearing to the court that all taxes due or
proceeds arising from the condemnation thereof except as hereinafter
or claim of title in and to the said tract of land No. 73, or to the
or whom are and just, are invested with a superior or better right
widely M. Simms, Martha S. Clore, J. Fred Simms and Chas. O. Simms, all
1933, and in the opinion of the petitioner, the said Emma C. Simms,

Judgment and condemnation entered herein on the _____ day of December,
mistakes, heretofore filed in this cause, and in the petition for
court and its appearance from the report of the Board of Appraisal Com-
Judgment of condemnation for Tract No. 73, and hereon be paid into
payable, the sum of \$410.00, amount of the award set out in the
petition, and the same be certified to the clerk of this court for the
of this court, to be paid to the said Emma C. Simms, and Chas. O. Simms, and
of the said land, known as Tract No. 73, have been paid; upon
provided, and it further appearing to the court that all taxes due or
proceeds arising from the condemnation thereof except as hereinafter
or claim of title in and to the said tract of land No. 73, or to the
or whom are and just, are invested with a superior or better right
widely M. Simms, Martha S. Clore, J. Fred Simms and Chas. O. Simms, all
1933, and in the opinion of the petitioner, the said Emma C. Simms,

The State Commission on Conservation and Development of
the State of Virginia
(Order for the Distribution
of the Award for Tract
(No. 72 -

D. F. Anderson and others -

Enter - *AJS.* Judge

LAW ORDER
PAGE 114
BOOK 9

Vs (At Law No. 85)

of the State of Virginia - - - - - Petitioner -
the State Commission on Conservation and Development
Virginia: 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. 72 : 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. 72 \$ 910.00; 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 land was owned by the late C. O. Simms who died intestate about 19 years ago, and left a widow, Emma C. Simms, and the following four children: Ouida M. Simms, Martha S. Clore, J. F. Simms and Charles O. Simms -

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, Emma C. Simms, Ouida M. Simms, Martha S. Clore J. F. Simms and Charles O. Simms, are entitled to the entire award of \$910.00 -

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. 72 \$ 910.00 : 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)

Your undersigned ask that the check for the said award be paid to Emma C. Simms whose Post Office is Etlan, Va.

NAME	P. O. ADDRESS
<u>Emma C. Simms</u>	<u>Etlan, Virginia -</u>
<u>Ouida M. Simms</u>	<u>Etlan, Virginia -</u>
<u>Martha S. Clore</u>	<u>Criglersville, Va.</u>
<u>J. Fred Simms</u>	<u>Penn Laird, Va.</u>
<u>Chas. O. Simms</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} 1933 taxes of record
in my office to the amount of \$ against the tract of land
owned by C. O. Simms

. which is
designated as Tract No. ; 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 22nd 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 Chas. O. Simms which is designated as Tract No. . . 72 . . . ; 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 22 day of January, 1934.

..... *A. H. Case* Clerk..
Circuit Court, Madison County, Virginia
By *Bertha M. Patten* Deputy
Clerk

thereof, as provided 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. 26, taking from said
as above provided, the items above set forth aggregating the award set
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 H. G. Payne, Atty. General in favor of W. M. Mann 10.25
(3) To V. E. Nicholson and E. H. Nicholson, Neighbors, Va. \$200.00

(1) To H. G. Payne, Atty. Madison, Va. fee and costs \$15.00

sation for Tract No. 26 be paid out and distributed as follows:
the said sum of \$1000.50 paid into Court by petitioner as just compen-
consideration whereof it is considered and ordered by the Court that
all taxes due or payable upon said Tract No. 26 have been paid, upon
nation of said Tract No. 26, and it further appearing to the Court that
are therefore entitled to receive the proceeds arising from the condem-
No. 26, or to the proceeds arising from the condemnation thereof, and
bute by any party or person in interest as to the title of said Tract

Judge -

State Commission on Conserva-
tion and Development of the
State of Virginia

(Order for Distribution of
Vs (the award for Tract No. 26
D. F. Anderson and others -

Enter.

marked see
data only
JF

LAW ORDER
BOOK 9 PAGE 114

On this, the _____ day of January, 1934, came V. E. Nicholson and

D. F. Anderson and others, and 25,000 acres of

Respondents -

Land in Madison County, Virginia;
and Development of the State of Virginia -

Petitioner -

In the Circuit Court of Madison County, Virginia,