

County: Madison
District: Roberson.

#105 - Smoot, J. C. Estate.

Acreage Found: 515

Assessed 451

Deed: 346A acquired,
consideration not
stated, 1914.

AREA: 515 A.

Location: Roberson River. Entirely within the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay loam of medium depth and fertility.

Roads: 6 miles over county road to Criglersville, thence 18
miles to Culpeper over state highway.

History of tract and condition of timber: The wooded area of this
tract has been culled over and the bulk of the merchantable
timber is left in the roughest places making it expensive
to operate. Some of the cleared land is in a poor state
of cultivation.

Timber: This tract is estimated to cut 700,500 bd. ft.
of saw timber valued at \$2.00 per M. -- \$1401.00.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	380	\$1.50	\$570.00
Ridge	40	.50	20.00
Fg	12	\$8.00	96.00
Fc	19	\$8.00	152.00
Fr	26	\$3.00	78.00
Cove	38	\$2.50	95.00
	<u>515</u>		<u>\$1011.00</u>

Improvements: Dwelling, log & frame, 12x21, 4 rooms, porch 7x21,
stone flues, 1½ story, log walls, fair condition.,
occupied by tenant.
Log corn house, 9x13, shingle, poor condition.
Log hen house & shed, 12x21x6, shingle, fair condition.

Total value of improvements -- \$205.00.

Orchard: 150 apple trees 60 yrs. old valued @ 50¢. \$75.00.

Summary:

Total value of land.	\$1011.00
Total value of timber.	\$1401.00
Total value of improvements.	\$205.00
Total value of orchard.	\$75.00
Total value of tract.	<u>\$2,692.00.</u>

L. H. Tanner Sec

County: Madison
District: Roberson

#105 Smoot, J. C. Estate

Acreage Claimed: Assessed 451 Deed 346A acquired, consideration not stated, 1914

Value Claimed: " \$2565 " 55A ^{Sold to Waverly Dyer} acquired 1914 for \$10.00
AREA: --515 A.

Location: Roberson River. Entirely within the Park area.

Incumbrances, counter claims or laps: None known

Soil: Sandy clay loam of medium depth and fertility.

Roads: 6 miles over county road to Criglersville, thence 18 miles to Culpeper over state highway.

History of tract and condition of timber: The wooded area of this tract has been culled over and the bulk of the merchantable timber is left in the roughest places making it expensive to operate. Some of the cleared land is in a poor state of cultivation
Timber: This tract is estimated to cut 700,500 bd.ft. of saw timber valued at (1.50) per M. (\$1050.75) ^{\$2.00} \$1401.00

<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	380	1.50	570.00
Ridge	40	.50	20.00
Fg	12	8.00	96.00
Fc	19	8.00	152.00
Fr	26	3.00	78.00
Cove	38	2.50	95.00
	515		1011.00

Improvements: Dwelling, log & frame, 12x21, 4 rooms, porch 7x21, stone flues, 1½ story, log walls, fair cond., occupied by tenant, (spring) (kitchen 5x12) \$140.00
Log corn house, 9x13, shingle, poor cond. 5.00
Log hen house & shed, 12x21x6, shingle, fair 15.00
Total Value Improvements \$200.00

Orchard: 150 apple trees 60 yrs. old valued ~~45.00~~ ^{\$50.00 - \$75.00}

Total value of land	\$1011.00
" " " orchard	45.00
" " " improvements	160.00
" " " timber	1050.75
" " " tract	2266.75
Average value per acre	4.40

VIRGINIA

IN THE CIRCUIT COURT OF MADISON COUNTY
at Madison, Virginia.

STATE COMMISSION ON CONSERVATION and
DEVELOPMENT OF THE STATE OF VIRGINIA

PETITIONER

vs: Order for the distribution of \$2692.00
 on Petition of Mrs. Frank E. Smoot
 for Tract No. 105 in Shenandoah National Park.

D. F. ANDERSON ET ALS and 55,000
acres of land in Madison County, Virginia

DEFENDANTS

On this, the 20th day of February, 1934, came Mrs. Frank E. Smoot by her attorneys and on her motion she is made a party to these proceedings and leave is given her to file her petition asserting her ownership in fee simple in and to tract No. 105 containing 396 acres, more or less, in the Shenandoah National Park and praying for the distribution of the sum of \$2692.00, the amount of the judgment constituting the award for the tract of land, and it appearing to the Court from the report of the Board of Appraisal Commissioners heretofore filed in this cause as well as in the petition for judgment and condemnation entered herein on the 4th day of December, 1933, that in the opinion of the petitioner Mrs. Frank E. Smoot as the residuary legatee and devisee of J. C. Smoot, sometimes called J. Clinton Smoot, is vested with a fee simple title and Estate in and to Tract No. 105 containing 396 acres, more or less, being a part of the real estate of which J. C. Smoot died seized and possessed which has been carried in these proceedings under the style of J. C. Smoot Estate and that the said Mrs. Frank E. Smoot is entitled to the proceeds arising from the condemnation of the said tract of land in the amount of \$2692.00 subject to the pay-

ment of delinquent taxes to A. H. Cave, Clerk, amounting to \$39.08, and current taxes payable to B. S. Utz, Treasurer of Madison County, for the year 1933, in the amount of \$38.22;

Upon further consideration whereof it is considered and ordered by the Court that the sum of \$2692.00 heretofore paid into Court as just compensation for said tract No. 105 containing 396 acres, more or less, be paid out and distributed as follows:

To A. H. Cave, Clerk of the Circuit Court of Madison County, address, Madison, Virginia	39.08
To B. S. Utz, Treasurer of Madison County, Address, Madison, Virginia,	38.22
To Mrs. Frank E. Smoot, Address, care of Mr. Gardner L. Boothe, Attorney-at-Law, Alexandria, Virginia,	2614.70
	<hr/> \$ 2692.00

And The Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia who will pay out said sum as above provided, the items set forth aggregating the sum of \$2692.00 the award fixed in the judgment of the condemnation for said tract No. 105 containing 396 acres, more or less, taking from the parties to whom the said fund is payable as aforesaid receipts therefor and certifying such payments to the Clerk of this Court for appropriate entry thereof as provided by law.

STATE COMMISSION ON CONSERVATION
& DEVELOPMENT OF THE STATE OF
VIRGINIA

vs: Order

D. F. ANDERSON ET ALs and
55,000 acres of land in
Madison County, Virginia.

Shael-No-106

Enter:

Judge.

BOOK 9

LAW ORDER

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VIRGINIA

IN THE CIRCUIT COURT OF MADISON COUNTY
at Madison, Virginia.

STATE COMMISSION ON CONSERVATION and
DEVELOPMENT OF THE STATE OF VIRGINIA

PETITIONER

vs: Petition of Mrs. Frank E. Smoot
 for distribution of \$2692.00 allowed in
 these proceedings for tract No. 105.

D. F. ANDERSON ET ALS and 55,000
acres of land in Madison County, Virginia,

DEFENDANTS

To the Honorable Lemuel F. Smith, Judge of said Court:

Your petitioner, Mrs. Frank E. Smoot, the residuary
legatee and devisee of the late J. Clinton Smoot, respectfully
shows unto the Court and petitions the Court as follows:

That your petitioner, Mrs. Frank E. Smoot, is the fee
simple owner of that certain tract or parcel of land situate,
lying and being in Madison County, Virginia, on the West and
South of Ragged Mountain in Robertson Magisterial District in
said County, and the said land lies within the bounds of the
Shenandoah National Park, which said land is known and described
on the Madison County Ownership Map filed in the above entitled
condemnation proceedings as Tract No. 105, containing 396 acres,
more or less; that the special investigators and Board of Appraisal
Commissioners heretofore appointed in these proceedings awarded
to J. C. Smoot Estate, of which the petitioner, Mrs. Frank E.
Smoot, is owner, for said tract No. 105, the sum of \$2692.00 for
compensation for taking said tract of land as will more fully
appear from the report heretofore filed in these proceedings on
the 2nd day of June, 1932, which said report has been duly con-
firmed as to said tract and the award for the condemnation there-
of has been ordered to be paid into the custody of this Court
pursuant to an order heretofore entered in this cause; that the
petition for condemnation and the report of the said Board in

these proceedings sets forth the fact that J. C. Smoot Estate is the apparent fee simple owner of the said tract of land and the record in these proceedings does not disclose any denial or dispute of such statement or charge contained in said petition nor are there any adverse claims or lapse reported in connection with said tract; that your petitioner on the date of said judgment in rem condemning the said tract of land owned and was entitled to a fee simple interest in said tract and in the proceedings arising from the condemnation thereof and that no other person or persons than the undersigned is entitled to share in the distribution of the said award except that there are delinquent taxes payable to A. H. Cave, Clerk of this Court, amounting to \$39.08, and there are current taxes payable to B. S. Utz, Treasurer of Madison County, for the year 1933 amounting to \$38.22; and that these proceedings have been instituted and conducted against the J. C. Smoot Estate and your petitioner alleges and shows unto the Court that she is the widow of the said J. C. (Clinton) Smoot, whose will has been duly probated and is recorded in the Clerk's Office of this Court in Will Book 5 at Page 281, on April 4, 1923, and that by the terms of said will this petitioner is the residuary legatee and devisee of the said J. Clinton Smoot who, at the time of his death, was seized and possessed of a fee simple title in and to the said tract of land and by the terms of said will the said fee simple title in said land was vested in this petitioner, and special reference is hereby made to the said will.

Wherefore, your said petitioner respectfully prays that she be made a party to these proceedings under the provision of Section 21 of the Public Park Condemnation Act and that an order be entered by this Court for the distribution of the said sum set forth in said judgment in rem as constituting the award for the fee simple Estate in the said tract condemned as aforesaid and

for the payment to the undersigned of the said award subject to the payment of taxes above referred to, or as much thereof as the Court may find that this petitioner is entitled to receive.

Respectfully submitted,

✓
Mrs Frank E Smoot

Address: Care of Mr. Gardner L. Boothe,
Attorney-at-Law,
Alexandria, Virginia.

Gardner L. Boothe

Gardner L. Boothe

Shackelford & Robertson

Shackelford & Robertson,
Attorneys for Petitioner.

This is to certify that there are delinquent taxes of
record in my office to the amount of \$ 39.08 against the tract
of land owned by J.C. Smoot
..... which is
designated as Tract No. 105.; 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 7th day of February, 1934 ..

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

By Deputy
Clerk

This is to certify that there are 1933 taxes of record
in my office to the amount of \$ 38.22 . against the tract of land
owned by . J.. C.. Smoot. Estate

..... 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 7th. day of February, 1934 .

..... B. S. Utz.

Treasurer, Madison County, Virginia

By *J. B. Gray* Deputy
Treasurer