

County: Madison
District: Roberson

Claimant #137 - Spitler, Jacob.

Acreage Found: 229 Assessed 229 Deed: 229

Location: Haywood Mountain and entirely within the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: The soil is a sandy loam of good depth and fertility. On the wooded portion there is considerable rock, but the open has only a small amount. Slopes are gentle and smooth, except the east side which is steep. Much of the grazing has a good turf, but it is not solid blue grass and there are bare patches. Some parts have much briars, brush and logs. There is not much water.

Roads: It is ten miles over rough roads with the exception of two miles which is paved to Stanley, the nearest shipping point.

History of tract and condition of timber: The tract was cut over many years ago and there is no merchantable timber. Since purchase the present owner has cleaned it up.

Improvements: None.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Fg & Wg	229	\$22.50	\$5,152.50

Summary:

Total value of land. \$5,152.50
Total value of tract. \$5,152.50.

L. W. Farmer, Sec

County: Madison
District: Roberson

#137 - Spitler, Jacob

<u>Acreage Claimed:</u>	229	<u>Assessed:</u>	229	<u>Deed:</u>	229 (1922)
<u>Value Claimed:</u>	\$11,450	<u>Assessed:</u>	\$458.00	<u>Deed:</u>	Not stated.

Area: 229 acres.

Location: Haywood Mountain and entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil: The soil is a sandy loam of good depth and fertility. On the wooded portion there is considerable rock, but the open has only a small amount. Slopes are gentle and smooth, except the east side which is steep. Much of the grazing has a good turf, but it is not solid blue grass and there are bare patches. Some parts have much briars, brush and logs. There is not much water.

Roads: It is ten miles over rough roads with the exception of two miles which is paved to Stanley, the nearest shipping point.

History of tract and condition of timber: The tract was cut over many years ago and there is no merchantable timber. Since purchase the present owner has cleaned it up.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Grazing	113	\$25.00	\$2825.00
Woodland grazing	116	7.00	812.00
	<u>229</u>		<u>\$3637.00</u>

Total value of land \$3637.00
Total value of tract \$3637.00
Average value per acre \$15.88

Claim of Jacob Spitler
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 al
229 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 Jacob Spitler
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 229 acres, on which there are the following buildings and improvements: None

This land is located about eight miles from Stanley, Virginia, in the Robertson Magisterial District of ~~said County~~ Madison 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. M. Spitler
South John Fray
East John Fray
West C. M. Spitler

I acquired my right, title, estate or interest to this property about the year 1890 in the following manner:
Private Sale, from Isaac Long and others.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 11,450.00. 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 \$ 11,450.00.

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 privately without fencing or clearing. After purchase I fenced and cleaned about 200 acres at my own expense. By losing this land for grazing purposes in summer will injure my live stock industry on my home farm.

This contract will expire two year (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 15th day of July, 1930.

Jacob Spitler

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

The undersigned hereby certifies that Jacob Spitler 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 15th day of July, 1930.

Margaret Strickler
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.
_____ Defendant.

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 _____, _____ 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 _____ acres, on which there are the following buildings and improvements:

This land is located about _____ miles from _____, _____ County, Virginia, in the _____ Magisterial District of _____ 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 _____
West _____

_____ acquired my right, title, estate or interest to this property about the year 1830 in the following manner:
Private Sale, from Isaac Long and others.

_____ 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 claim that the total value of this tract or parcel of land with the improvements thereon is \$_____. _____ 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 \$_____. (The space below should be set out any additional statements or information or 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 privately without benefit of _____ at my own expense. By losing this land for grazing purposes in _____ summer will injure my live stock industry on my home farm.

This contract will expire two years _____ (Continue remains if necessary on the back).
Witness my signature (or my name and mark attached hereto) this _____ day _____ 1830.

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 _____ 1830.

Notary Public, _____

Jacob Spiller
Third July 16-1830
Wm. C. Spiller

IN THE CIRCUIT COURT OF MADISON COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA

VS.) (ORDER OF DISTRIBUTION TO JACOB SPITLER,
&C.

D. F. ANDERSON, &C.

On this, the 31 day of January, 1934, came Jacob Spitler, owner, and The First National Bank of Luray, Virginia, and H. H. Hudson, lienors, and on their motion leave is hereby given them to file their joint application for the payment of the sum of Five Thousand, One Hundred and Fifty-Two Dollars And Fifty Cents (\$5,152.50), the amount of the award set out in the judgment of condemnation for Tract No. 137, 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 the petitioner, the said Jacob Spitler is invested with a superior or better right or claim of title in and to the said tract of land No. 137, 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 of said Tract No. 137, but that the said First National Bank of Luray, has asserted by its joint petition aforesaid a lien against said property, or the proceeds arising from the condemnation thereof in the sum of Twelve Hundred and Thirty-Three Dollars (\$1233.00), together with interest thereon from the 20th day of August, 1933, until paid, and also that the said H. H. Hudson has asserted by his joint petition aforesaid a lien against said property, or the proceeds arising from the condemnation thereof in the sum of

Two Hundred and Fifty-Two Dollars and Forty-Three Cents (\$252.43), together with interest thereon from the 20th day of August, 1933, until paid, and that the said Jacob Spitler has also consented in his said joint application that said liens be paid out of the proceeds arising from the condemnation of said Tract No. 137, therefore, the said First National Bank of Luray, Virginia, is entitled to receive the sum of Twelve Hundred and Sixty-Five Dollars and Ninety Cents (\$1265.90) out of the proceeds arising from the condemnation of said Tract No. 137, and the said H. H. Hudson is entitled to receive the sum of Two Hundred and Fifty-Nine Dollars and Fifteen Cents (\$259.15) out of the proceeds arising from the said condemnation, and the said Jacob Spitler is entitled to receive the sum of Three Thousand, Six Hundred and Twenty-Seven Dollars and Forty-Five Cents (\$3,627.45), the residue of said award of condemnation, and it further appearing to the Court that all taxes due or exigible upon said Tract No. 137, have been paid, upon consideration whereof, it is considered and ordered by the Court that said sum of \$5,152.50 paid into Court by petitioner as just compensation for said Tract No. 137, be paid out and disbursed as follows, to-wit: To S. L. Walton, Luray, Virginia, as attorney of record for the First National Bank of Luray, the sum of \$1265.90, and to Ford and Keyser, Luray, Page County, Virginia, attorneys of record for said H. H. Hudson the sum of \$259.15, and to said Ford and Keyser, attorneys of record for said Jacob Spitler, the sum of \$3,627.45, 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 said S. L. Walton, attorney for the First National Bank of Luray, Virginia, the aforesaid sum of \$1265.90, and to Ford and Keyser, attorneys for H. H. Hudson, the sum of \$259.15, and to

Ford and Keyser, attorneys for Jacob Spitler the sum of \$3,627.45, aggregating the sum of \$5,152.50, the amount of the award set out in the judgment of condemnation for said Tract No. 137, and certify such payments to the Clerk of this Court, for appropriate entry thereof.

STATE CONSERVATION COMMISSION

TO JACOB SPITLER, JR.
CLERK OF DISTRICT COURT

WILSON, JR.

PAID

1922

STATE CONSERVATION COMMISSION

VS.)) (ORDER OF DISTRIBUTION
TO JACOB SPITLER, &C.

D. F. ANDERSON, &C.

E. J. P.

award and one in the judgment of condemnation for said tract No. 134, and a city such payments to the Clerk of this Court, for
Ford and Keyser, attorneys for Jacob Spitler the sum of
\$2,087.45, aggregating the sum of \$2,123.50, the amount of the

LAW ORDER
BOOK 9 PAGE 134 &
135

IN THE CIRCUIT COURT OF MADISON COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA

VS.) (PETITION OF JACOB SPITLER, OWNER, AND THE
FIRST NATIONAL BANK OF LURAY, VIRGINIA, AND
H. H. HUDSON, LIENORS, 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 petitioners, Jacob Spitler, owner, and The First
National Bank of Luray, Virginia, and H. H. Hudson, lienors,
respectfully represent unto Your Honor as follows:

That the aforesaid Jacob Spitler 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 on the Madison County ownership map filed in the above
entitled condemnation proceedings as Tract No. 137, and contains
229 acres; and

That the Special Investigators and Board of Appraisal
Commissioners heretofore appointed in these proceedings awarded
your petitioner, Jacob Spitler, the sum of Fifty-One Hundred
Fifty-Two Dollars and Fifty Cents (\$5152.50), as compensation
and damages for the taking of the aforesaid tract of land, as
will more fully appear from their report heretofore filed in these
proceedings, which said report has been duly confirmed as to the
tract of land aforesaid, and the award for the condemnation there-
of ordered to be paid into the custody of the Court, pursuant to
and order heretofore entered in this cause on the 6th day of
November, 1933; and

That the petition for condemnation in this cause states that your petitioner is the fee simple owner of said tract No. 137 and that the record in this suit does not disclose any denial or dispute of such statement or charge contained in the petition; and

That the said Jacob Spitler by that certain deed of trust bearing date on the 20th day of October, 1932, which is duly of record in the Clerk's Office of Madison County in Deed of Trust Book No. 7, at Page 381, etc., to which reference is hereby made, conveyed unto S. L. Walton, Trustee, the aforesaid tract of land to secure the prompt payment of the sum of Twelve Hundred Thirty-Three (\$1233.00) Dollars to Fred C. Spitler, as evidenced by that certain negotiable note for said sum executed by the said Jacob Spitler and payable to the said Fred C. Spitler, who has endorsed and assigned said note to your petitioner, the said First National Bank of Luray, Virginia, bearing even date with said deed of trust, and with interest thereon from date, and to further secure the prompt payment of the sum of Two Hundred Fifty-Two Dollars and Forty-Three Cents (\$252.43) to the said H. H. Hudson, as evidenced by that certain negotiable note for the said sum executed by the said Jacob Spitler and payable to the said H. H. Hudson bearing even date with said deed of trust and with interest thereon from date, all of which will more fully appear from said deed of trust, which is prayed to be read as a part of this petition.

That there has been no payment made upon either of the aforesaid negotiable notes, which are all due and payable, together with interest on each of them from the 20th day of August, 1933, until paid; and

That your petitioners, the said First National Bank of Luray, Virginia, and H. H. Hudson are persons having a material interest to the real estate aforesaid and/or in the funds derived from the condemnation thereof by virtue of the deed of trust hereinbefore fully set forth; and

That there are no other liens or encumbrances of any kind binding the real estate aforesaid or the funds derived from the condemnation thereof; nor are there any taxes due or exigible thereon.

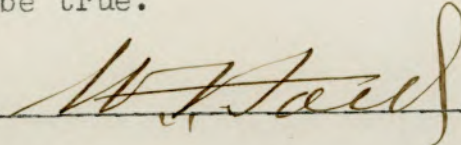
Wherefore, your petitioner, The First National Bank of Luray, Virginia, prays that it may be made a party to this cause and that this Court may make an order which shall be entered in this case directing that the aforesaid sum of \$1233.00, together with interest thereon from the 20th day of August, 1933, until paid, shall be forthwith paid over to the said First National Bank of Luray, Virginia; and your petitioner, H. H. Hudson, prays that he may be made a party to this cause and that this Court may make an order which shall be entered in this case directing that the aforesaid sum of \$252.43, together with interest thereon from the 20th day of August, 1933, until paid, shall be forthwith paid over to the said H. H. Hudson, and that the residue of the award of \$5152.50 as aforesaid shall be forthwith paid over to the said Jacob Spitler, owner as aforesaid.

Ford Keyser
J. L. Walton J. G.

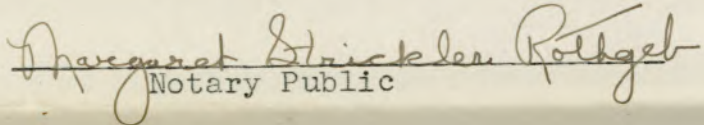
Jacob Spitler
H. H. Hudson
First National Bank
of Luray
By Counsel

STATE OF VIRGINIA,
COUNTY OF PAGE, TO-WIT:

W. V. Ford, being duly sworn, says, that he is the attorney for the petitioners 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.



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


Notary Public

My commission expires
February 4, 1937.

I was commissioned notary as
Margaret Strickler.