

County: Madison
District: Roberson

#203 - Utz, B. S.

Acreage Found: 5 Assessed 5 Deed 5.

Location: On Rose River, two sides; wholly in Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam, gentle north slope to stream.

Roads: Seven miles to Criglersville; thence seventeen miles to Culpeper, the nearest shipping point.

History of tract and condition of timber: Timber cut off, Restocking only along stream.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Grazing	3	\$12.50	\$37.50
Restocking	2	4.00	8.00
	<u>5</u>		<u>\$45.50</u>

Total value of land. \$45.50
Total value of tract. \$45.50
Average value per acfe. \$ 9.10

L. W. Farmer, Sec.

In the Circuit Court of Madison County, Virginia,

The 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 7th day of May, 1934, came B.S. Utz, and on his motion leave is given him to file his application for the payment of the sum of \$45.50, the amount of the award set out in the judgment of condemnation for Tract No. 203 and heretofore 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 ___ day of December, 1933, that in the opinion of petitioner, the said B.S. Utz is invested with a superior or better right or claim of title in and to the said Tract No. 203, and that the record of this cause does not disclose any denial or dispute by any party or person in interest as to the title to said Tract No. 203, or to the proceeds arising from the condemnation thereof, and is therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 203 except as hereinafter provided, and it further appearing to the Court that all taxes due or payable upon said Tract No. 203 have been paid. Upon further consideration whereof, it is considered and ordered by the Court that the sum of \$45.50, paid into Court as just compensation for said Tract No. 203, be paid out and distributed as follows:

- | | |
|---|---------|
| (1) To N.G. Payne, atty. Madison, Virginia, fee and costs | \$ 5.00 |
| (2) To B.S. Utz, Madison, Virginia, balance | 40.50 |

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. 203, 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 provided by law.

provided by law.

such payment to the Clerk of this Court for appropriate entry thereof as to whom the fund is payable as aforesaid, receipts therefor, and certifying the judgment of condemnation for Tract No. 203, taking from said parties as above provided, the items set forth aggregating the award set out in 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

- (1) To N.G. Payne, Atty. Madison, Virginia, Fee and costs \$ 7.00
- (2) To B.S. Urx, Madison, Virginia, balance 40.20

and distributed as follows:

paid into Court as just compensation for said Tract No. 203, be paid out whereof, it is considered and ordered by the Court that the sum of \$47.20, plus upon said Tract No. 203 have been paid. Upon further consideration provided, and if further appearing to the Court that all taxes due or payable from the condemnation of said Tract No. 203 except as hereinbefore the condemnation thereof, and is therefore entitled to receive the proceeds

State Commission on Conservation and Development -

(Order for the Distribution of the award - Tract No. 203)

D.F. Anderson and others

Enter - *[Signature]* Judge

leave is given him to file his application for the payment of the sum of \$47.20, the amount of the award set out in the judgment of condemnation

On this, the 14th day of May, 1934, came B.S. Urx, and on his motion and in Madison County, Virginia, D.F. Anderson and others, and 55,000 acres of

Development of the State of Virginia, Defendants -

In the Circuit Court of Madison County, Virginia, Petitioner -

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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. 203 : 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. 203 \$ 45.50 ; 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;

B. S. Utz

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:—

Your undersigned claims the entire fee simple interest in said award -

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. 203 \$ 45.50 : 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)

All taxes have been paid -

NAME	P. O. ADDRESS
<i>B. S. Utz</i>	Madison, Virginia

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.