NAME OF CLAIMANT

#224 - Longley, M. D.

Number of Acres: 150

Location: On southwest slope of High Top Mountain.

One mile of rough steep road to county road in Roach Gap; Roads: thence three miles over fair dirt road to Spotswood Trail

near Swift Run; thence four miles to Elkton.

Soil:

Sandy clay of fair depth and fertility. It is very rocky and has large boulders and cliffs in the wooded portion. There are moderate to steep slopes with northwest and southwest exposure.

History of Tract and condition of timber:

A portion of this tract was cleared many years ago and has been cultivated since. The wooded area has been cut over repeatedly in the past. Present stand consists of mixed oaks with some hickory, ash and poplar along the streams also a large amount of dead chestnut present.

Improvements: Dwelling: Log 16x20', shingle roof, kitchen 12z12x8', 3 rooms, log finish, very poor condition, abandoned,
Barn: Log 16x16x10', shingle roof, very poor condition.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	103	0	\$3.00	#309.00
Cove:				
Grazing Land:	40	0	25.00	1000.00
Fields Restocking:	7	0	10.00	70.00
Cultivated Land:	150			\$1379.00

Orchard:

Minerals:

Value of Land: \$1379.00

Value of Improvements: \$ 50.00

Value of Orchard: \$

Value of Minerals: \$ 50.00 \$1429.00 Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 9.52

Incidental damages arising from the taking of this tract: \$ NONE.

GEO. N. GEN CLERK. 28

76

Gounty: Sockingham District: Stonewall

#224- Longley, N. D.

Acreage Claimed:

Assessed: 150 A.

Deed: 150 A.

Value Claimed:

" \$600.00

" Purchased in 1917 for \$500.00

Location:

Un southwest slope of High Top Mountain.

Soil:

Sandy clay of fair depth and fertility. It is very rocky and has large boulders and cliffs in the wooded portion. There are moderate to steep slopes with northwest and southwest exposure.

Incumbrances, counter claims or laps: None known.

Roads:

One mile of rough steep road to county road in Boach Gap; thence three miles over fair dirt road to Spotswood Trail near Swift Mun; thence four miles to Elkton.

Ristory of tract and condition of timber: A portion of this tract was cleared many years ago and has been cultivated since. The wooded area has been cut over repeatedly in the past. Present stand consists of mixed oaks with some hickory, ash and poplar along the streams, also a large amount of dead chestnut present.

improvements: Dwelling: log l6x20', la story, shingle roof, kitchen l2x12x8'
3 rooms, log finish, very poor condition, abandoned, no value -Barn: Log l6x16x10', shingle roof, very poor condition, no
value --

Value of land by types:

		Agine	LOTET
Type Slope	Acreage 107	per acre	Value
Slope	107	\$3.00	\$321.00
FE	40	10.00	400.00
Br	7	\$5.00	35.00
	154		756.00

Total value of land \$756.00

Total value of improvements --
Total value of tract 756.00

Average value per acre 5.04

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 Rockingham County The State Commission on Conservation and Development of the State of Virginia . . PETITIONER. V. At Law No. 1829 Cassandra Lawson Atkins and others, and Fifty-Two Thousand, Five Hundred and 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. _224____: 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. _224 \$1429.00; 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: M. D. Longley 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:-By reason of Contribution pledge, obligating the owner, M. D. Longley, to give land to the value of \$15.00 in the Park Area to the Park Project. 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: 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. __224 ___ \$15.00_: 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) P. O. ADDRESS NAME CONSERVATION & COMMISSION ON

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.

Virginia: In the Circuit Court of Rockingham County The State Commission on Conservation and Development of the State of Virginia . . PETITIONER. STATE OF VIRGINIA) SS bell gall uderouse vince and to be self at the disease bell as country of warren) Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof having to do with claims of the Commission for distributive shares of condemnation awards in the Shenandoah National Park condemnation proceedings pending in the Circuit Courts of Virginia, by reason of contracts and agreements entered into with the owners of lands sought to be condemned in these proceedings, and that the within chaim is just and correct. Witness my signature this 8th day of January 1934. Public NOTARY PUBLIC Notary adt rahaur alared (saitred) virag a sham of (vadi My Commission Expires Sep. 8, 1934 The desires of said sum(s) set forth in said judgment in rem as constituting the award(s) for the feed of the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the maid 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. ... 224 ... \$ 15,00 .: Tract

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 Rockingham County The State Commission on Conservation and Development of the State of Virginia . . PETITIONER. V. At Law No. 1829 Cassandra Lawson Atkins and others, and Fifty-Two Thousand, Five Hundred and 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. ____224___: 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. ______; 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; M. D. Longley

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:—

By reason of Contribution Pledge, obligating the owner, M. D. Longley, to give 10 acres of his land within the Park Area to the Park Project.

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:

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. __224____ \$_30.00_: 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)

NAME	P. O. ADDRESS
STATE COMMISSION ON CONSERVATION	
& DEVELOPMENT	
PARA TILA	1
BY// Lebel / / While	<u></u>
A second	

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.

Virginia: In the Circuit Court of Rockingham County STATE OF VIRGINIA) SS mun COUNTY OF WARREN of design of the Board of the Board of the Popraisal Commission of the report of the Popraisal County of Warren Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof having to do with claims of the Commission for distributive shares of condemnation awards in the Shenandoah National Park condemnation proceedings pending in the Circuit Courts of Virginia, by reason of contracts and agreements entered into with the owners of lands sought to be condemned in these proceedings, and that the within claim is just and cor-Witness my signature this 8th day of Jahuary 1934 NOTARY PUBLIC Notary Public My Commission Expires Sep. 8, 1934 receive, and which the undersigned aver(s) is as follows: Tract No. _ 224 __ \$ _ 50.00 : Tract

Clerk's Office

Circuit Court of Rockingham County Harrisonburg, Virginia

HON. H. W. BERTRAM
JUDGE
J. ROBERT SWITZER
CLERK

DEPUTIES
W. EDGAR SIPE
MARGIE BOWERS
MARGARET BRANUM

STATE OF VIRGINIA.

COUNTY OF ROCKINGHAM, to-wit:

I, J. Robert Switzer, Clerk of the Circuit Court of Rockingham County do hereby certify that the records in my office do not show any delinquent taxes against the tract of 150 acres in Stonewall District, assessed in the name of M. D. Longley.

Given under my hand this 31st day of May, 1934.

Clerk of the Circuit Court of Rockingham County, Virginia.

Attorney. O. K.

Ex. Certificate No. 2

Petition of Mary Deane and others Tract No.

> JOHN S. CHAPMAN ATTORNEY AT LAW STANDARDSVILLE, VA.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT OF VIRGINIA

Petitioner

V.

At Law No. 1829

CASSANDRA LAWSON ATKINS AND OTHERS

Defendants

On this <u>40</u> day of June, 1934, came Gilbert E. Pence, D. Wempler Earman and Ethel Irwin Lineweaver, Special Commissioners of the Circuit Court of Rockingham County, Virginia, in the chancery cause of Christine Longley Sherman v. Herman V. Longley et als, and on their motion leave is given them to file their application for disbursement of the sum of Fourteen Hundred Twenty-nine Dollars (\$1429.00), the amount of the award set out in the judgment of the condemnation of tract Nn. 224 and heretofore paid into Court.

And it appearing to the Court that said petitioners are invested with a superior or better right of claim or title in and to said tract of land No. 224 than any other person or persons, and that said Ethel Irwin Lineweaver is the bonded receiver entitled to receive said fund; and

That the taxes on said tract No. 224 have been paid;

Upon consideration whereof, it is considered and ordered by the Court that said Fourteen Hundred Twenty-nine Dollars (\$1429.00) paid into Court by petitioner as just compensation for tract No. 224 be paid to Ethel Irwin Lineweaver, bonded receiver as aforesaid, and that the Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall disburse this sum of Fourteen Hundred Twenty-nine Dollars (\$1429.00) as above set out, taking from said Ethel Irwin Lineweaver, bonded receiver as aforesaid, receipt for the amount paid her and certify such payment to the Clerk of this Court for appropriate entry thereof as required by law.

Enter:

AND

10/2

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT OF VIRGINIA

Petitioner

v.

At Law No. 1829

CASSANDRA LAWSON ATKINS AND OTHERS

Defend ants

TO THE HONORABLE H. W. BERTRAM, JUDGE OF SAID COURT:

Your petitioners, Gilbert E. Pence, D. Wampler Earman and Ethel Irwin Lineweaver, Special Commissioners of the Circuit Court of Rockingham County, Virginia, in the chancery cause of Christine Longley Sherman, etc. v. Herman V. Longley, etc., respectfully represent:

That a judgment in rem has here to fore been entered in this proceeding condemning to the use of petitioners the fee simple estate in a tract of land formerly the property of the late M.D. Longley, situate in the Blue Ridge Mountain in the eastern portion of Stonewall District, Rockingham County, Virginia, which tract is described in the report of the Board of Appraisal Commissioners appointed herein, and shown, numbered, and delineated on the County Ownership Map filed herewith as tract No. 224 at the price of Fourteen Hundred Twenty-nine Dollars (\$1429.00).

That on January 26, 1932, M. D. Longley was seised and possessed of said real estate; that on said date the said M. D. Longley departed this life intestate, leaving surviving the following named heirs at law, to whom said real estate descended in the following proportions, to-wit: Herman V. Longley, son, 1/6; W. C. Longley, son, 1/6; U. C. Longley, son, 1/6; Tracey Anderson, daughter, 1/6; Christine Longley Sherman, granddaughter, 1/6; Charles Watkins, grandson, 1/18; John Watkins, grandson, 1/18; Geneva Watkins, granddaughter, 1/18;

That the aforesaid partition suit was instituted by Christine Longley Sherman against the remaining heirs at law and their respective consorts, involving the aforesaid real estate, said suit having matured at the 1st April Rules, 1932; that a decree of sale was entered therein on September 2, 1932, appointing the undersigned as Special Commissioners of sale, and directing them to sell, inter alia, the aforesaid real estate; that the said Ethel Irwin Lineweaver, one of said Special Commissioners, executed bond in the penalty required by said decree, conditioned according to law; that on October 8, 1932, the undersigned publicly offered said real estate for sale, at which time no satisfactory bid was obtained; that thereafter, on May 17, 1933, a decree was entered in said cause authorizing and directing the sale of said real estate either at public auction or private sale, by the undersigned; that said real estate was, as before mentioned, condemned in this proceeding.

Your petitioners further show to the Court that all taxes on said property have been paid to and including the year 1933, and they herewith file certificates to that effect from M. H. Harrison, Treasurer of Rockingham County, Virginia, and J. Robert Switzer, Clerk of the Circuit Court of Baid County, which certificates are marked "Ex. Certificate No. 1" and "Ex. Certificate No. 2", respectively, and the same are prayed to be read as a part hereof.

That there are no liens on said property.

That no other person or persons that the said Ethel Irwin Line-weaver, bonded receiver as aforesaid, is entitled to share in said award.

WHEREFORE, your petitioners pray that they may be made parties herein and be allowed to file their petition in these proceedings; that an order may be entered in this proceeding for the payment of said award to Ethel Irwin Lineweaver, bonded Commissioner and Receiver in the aforesaid chancery cause of

Christine Longley Sherman etc. v. Herman V. Longley etc. pending in this Court, and that your petitioners may have such other, further and general relief as the nature of the case may require.

- Mample Carren

Ethel Suin Lineweaver

Special Commissioners of the Circuit Court of Rocking ham County, Virginia, in the chancery cause of Christine Longbey Sherman etc. v. Herman V. Longley, etc.

State of Virginia, end Mendeau Sity of Harrisofburg, to-wit:

This day Gilbert E. Pence, D. Wampler Earman and Ethel Irwin Lineweaver, Special Commissioners of the Circuit Court of Rockingham County, Virginia, in the chancery cause of Christine Longley Sherman etc. v. Herman V. Longley etc., the petitioners in the above entitled matter, personally appeared before me,

aforesaid, in my care public in and for the aty and State aforesaid, in my care partial, and being duly sworm, depose and say:

That we are the petitioners in the above entitled matter, Werare acquainted with the contents of the above petition, and do hereby state that the matters of fact therein set forth are true, to the best of our knowledge and belief.

Subscribed and sworn to before me this 19 day of June, 1934.

Exhel Servin Lineweaver

Mut Ampire.

M. H. HARRISON

TREASURER OF ROCKINGHAM COUNTY

HARRISONBURG, VIRGINIA

To Whom It May Concern:

I hereby certify that the records of this office show that the 1933 taxes have been paid on a certain tract containing 150-0-0 acres of land assessed in the name of M. D. Longley, situate in the Park Area in Stonewall District, this County.

All taxes prior to that time, if amy be due, are a matter of record in the Clerk's Office of said County.

of May 1934.

Given under my hand this 31st day

Very truly yours

Treasurer.

VIRGINIA. IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY. IN VACATION.

The State Commission on Conservation & Development, of the State of Virginia, - - - - - Petitioner,

Cassandra Lawson Atkins, et als, defendants.

In Re: Distribution of proceeds of condemnation for Tract No. 224, M. D. Longley, \$45.00.

This day came the State Commission on Conservation & Development by counsel, and moved the Court to enter an order directing the Treasurer of the State of Virginia, to pay to it out of the proceeds of condemnation of Tract No. 224, the sum of \$45.00, representing the amount of a certain pledge made by M. D. Longley, who claimed to be the owner of said tract, to said Commission on Conservation & Development, as a contribution for the establishment of Shenandoah National Park and in support of its said motion, the said Commission exhibited to the Court, its motion in writing setting forth all the facts in relation thereto, which has been heretofore filed he rein.

Upon consideration whereof, it appearing to the Court, that the claim of said Commission is not based upon any lien either on the land condemned, or on the proceeds of condemnation and that said Commission has failed to obtain the consent of the parties entitled to the proceeds of condemnation, to the payment of its claim, it is accordingly adjudged and ordered that the motion of the Commission for the payment of said claim out of the proceeds of condemnation for said tract be and the same is hereby denied.

The Clerk of the Circuit Court of Rockingham County, will enter the foregoing order upon the Common Law Order Book of his Court, as a vacation order. Given under my hand in vacation this 13 day of

August, 1935.

Court of Rockingham County, Virginia.



COMMONWEALTH OF VIRGINIA TREASURER'S OFFICE RICHMOND

DEPUTIES
D. C. ZOLLICKOFFER
P. W. JONES
J. O. FAISON, JR.
W. L. YOUNG

October 11, 1935

Mr. J. Robert Switzer, Clerk Circuit Court of Rockingham County Harrisonburg, Virginia

Dear Mr. Switzer:

At the request of Mr. R. A. Gilliam, Secty., State Commission on Conservation & Development, we are inclosing you herewith the following certificates and receipts for sums paid on account of the Shenandoah Park, which we will thank you to acknowledge.

Tract #224\$1,429.00 Tract #364 265.00

> Very truly yours, A. B. Gathright, Treasurer.

Ву

Deputy Treasurer.

mkp encl.

Copy to:

Mr. R. A. Gilliam



Commonwealth of Virginia

TREASUER'S OFFICE RICHMOND, VA.

June 23, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 23 day of June in accordance with an order of the circuit court of Rockingham County dated 6/20/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs.

Cassandra Lawson Atkins

paid to Ethel Irwin Lineweaver, Bonded Receiver, Harrisonburg, Va. \$1,429.00 being in full settlement of tract # 224

in the above mentioned cause.

Treasurer of Virginia.

By W. H. Woung

DEPUTY TREASURER OF VIRGINIA



Commonwealth of Virginia

TREASURER'S OFFICE RICHMOND, VA.

June 23, 1934

Ethel Irwin Lineweaver, Bonded Receiver
Harrisonburg, Virginia

Received of J. M. Purcell, Treasurer of
Virginia, the sum of \$\frac{1,429.00}{1,429.00}\$, in accordance
with an order of the Circuit Court of the county
of Rockingham entered on the 20th day
of June 1934, in the matter of the State
Commission on Conservation and Development v_____

Cassandra Lawson Atkins and others, being
full and complete settlement for the tract of land
known in said proceeding as #__224____.

Ethel Jawin Lineweaver, Bonded Reserver

Sign original and duplicate and return to the Treasurer of Virginia.