

## NAME OF CLAIMANT

#53 - Dean, William F., Jr.

Number of Acres: 48

Location: Near head of Hensley Hollow.

Roads: Two and one-half miles of rough dirt road to county road near Mount Pleasant; thence four miles to Elkton.

Soil: Sandy clay of good depth and fertility, quite rocky with steep to gentle slopes; northwest and southwest exposure.

History of Tract and condition of timber: Large portion of tract cleared many years ago, grazed since. Wooded area cut over repeatedly in the past. Present stand consists of poplar, hickory and mixed oaks.

Improvements: Barn: (old) Log, 14x16x16', shingle roof, poor condition.  
Corn house: Log, 16x16x12', shingle roof, poor condition.

## Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	13	⊙	\$5.00	\$65.00
Cove:				
Grazing Land:	35	⊙	25.00	875.00
Fields Restocking:	48			\$940.00
Cultivated Land:				
Orchard:				50.00
				\$990.00

## Minerals:

Value of Land: \$ 990.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$ 50.00

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 20.62

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

Geo. N. Pen. CLERK.



REPORT ON THE ACREAGE  
of the  
W. F. DEAN, JR., TRACT #53.

The deed for this tract contains a very good description, and describes the land, in two tracts, by bearings and distances. One tract calls to contain 60 A., 2 R., 21 P., and the other one 3 A., 2 R., or a total of 64 A., and 21 P.

However, the acreage computation is in error in both tracts. I have computed the acreage by the calls contained in the deed, and find the first tract to contain 46 acres and the second 2 acres, making a total of 48 acres in the tract.

This is covered by the State's report.

*W. M. Sloan*  
W. M. Sloan,

Chief Engineer, Park Service.



## NAME OF CLAIMANT

#53-a -- Dean, Wm. F., Jr.

**Number of Acres:** 157**Location:** Elk Run. Entirely within the Park area.**Roads:** Four and one-half miles via county road to Elkton, the nearest shipping point.

**Soil:** Clay loam on part and sandy loam on part. The tillable on this tract is fairly smooth and of good depth and fertility. Some loose rock over the entire orchard. The grazing land has quite a lot of loose rock and some outcrops. Small

**History of Tract and condition of timber:** brush and briars scattered over the grazing land. Gentle to steep slopes. The tillable is in a good state of cultivation.

History of tract and condition of timber: See reverse side --

**Improvements:**

Dwelling: Frame 17x20', L part 14x25', porch 8x25', 6 rooms, porch 8x6', double side, brick flues, 2 story, 4 rooms, ceiled, 2 plastered, fair condition, occupied by owner, spring pillar foundation, pumpkin house connected with spring.

Spring house: (new). Frame, 6x10x8', metal roof, good condition.

Meat house: Log, 10x14x10', shingle roof, poor condition.

Wash house: Sixe 8x8x7', poor condition.

New hen house: Frame, 9x30x8', paper roof, good condition.

Barn: Frame, 15x30x16', metal roof, with shed 13x30', fair condition.

Wagon shed: Frame, 14x36x8', metal roof, poor condition.

Hog pen: Frame, 10x22x6', shingle roof, fair condition.

Garage: 10x15x8', paper roof, fair condition.

Corn house: Log, 9x15x8', shingle roof, poor condition.

**Acreage and value of types:**

Types	Acreage		Value per acre	Total Value
<b>Ridge:</b>				
<b>Slope:</b>	68	@	\$5.00	\$340.00
<b>Cove:</b>				
<b>Grazing Land:</b>	51	@	30.00	1530.00
<b>Fields Restocking:</b>				
<b>Cultivated Land:</b>	38	@	40.00	1520.00
<b>Orchard:</b>				\$3390.00
<b>Minerals:</b>				1100.00
<b>Value of Land:</b> \$3390.00				100.00
<b>Value of Improvements:</b> \$ 1100.00				50.00
<b>Value of Orchard:</b> \$				
<b>Value of Minerals:</b> \$				\$4640.00
<b>Value of Fruit:</b> \$ 50.00				96.00
<b>Value of Timber:</b> \$ 96.00				\$4736.00
<b>Value of Wood:</b> \$ 50.00				
<b>Value per acre for tract:</b> \$ 30.10				

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

Geo. N. Levi CLERK.



History of tract and condition of timber: Part of the merchantable saw timber has been removed from this tract. The remaining stands consist of red and chestnut oaks and hickory with a small amount of poplar. About 32 M. bd. ft. 204 cords of fuelwood on 68 acres. Saw timber - 32 M. bd. ft. - Fuelwood - 204 cords.

Location:

Roads:

Soil:

History of Acre and condition of timber:

Improvements:

Average and value of types:

Total Value

Value per acre

Acres

Types

Ridge

Slope

Level

Pasture land

Fields

Cultivated land

Orchard

Minerals

Value of land

Value of improvements

Value of Orchard

Value of Minerals

Value of Fruit

Value of Timber

Value of Wood

Value per acre for tract

Incidental damages arising from the taking of this tract:



Claim of W. F. Dean, Jr.  
In the Circuit Court of Rockingham County, Virginia, No. \_\_\_\_\_, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. W. F. Dean, Jr.

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

My name is W. F. Dean, Jr.

My post office address is Elkton, R. F. D. 3, Virginia.

I claim a right, title, estate or interest in ~~a~~ <sup>2 tracts</sup> tract or parcel of land within the area sought to be condemned, containing about 220 acres, on which there are the following buildings and improvements: Home tract, 156 acres, dwelling, barn, granary, dairy, hen house, garage, hog pen, implement shed, smoke house, about 72 fruit trees, 2nd tract, 64 acres, 51 fruit trees,

This land is located about 4 & 6 miles from Elkton, Virginia, in the Stonewall 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.)

Sole owner of the two above named tracts of land

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

North home tract, Henry A. Hensley, 2nd tract, D. Z. Dean

South " " J. T. Naylor estate 2nd, " Burke

East " " M. K. Eppard, 2nd " W. A. Dean

West " " H. S. Naylor, 2nd " A. E. Dean

I acquired my right, title, estate or interest to this property about the year 1907-23 in the following manner:

Upper tract of 64 acres, by deed from S. J. Breeden and home tract of about 156 acres from B. P. Monger and Virginia A. Hensley

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 11200.00. 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 \$ 11200.00.

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: Tract No. 2, or upper tract contains a mineral deposit. most of the land in the two tracts is under fence, some of it fertile and productive, some suitable for grazing

*This Expires December 1st 1931*

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 17th day of February, 1931, 1930. W. F. Dean Jr

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

The undersigned hereby certifies that W. F. Dean, 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, 17th day of February, 1931, 1930.

Filed In the Clerk's Office  
Rockingham County, Va.

FEB 18 1931

Clerk

N. B. Gentry M.P.  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.







County, Rockingham  
District: Stonewall

#53-a - Dean, W. F., Jr.

Acreage Claimed: 220 Assessed 156-95 A Deed 40 A 1921-\$1200.

Value Claimed: \$11,200.00 " \$1180.00 "116-95 1923-1/5000  
(This includes #53)

Location: Elk Run. Entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil: Clay loam on part and sandy loam on part. The tillable on this tract is fairly smooth and of good depth and fertility. Some loose rock over the entire orchard. The grazing land has quite a lot of loose rock and some outcrops. Small brush and briars scattered over the grazing land. Gentle to steep slopes. The tillable is in a good state of cultivation.

Roads: Four and one-half miles via county road to Elkton, the nearest shipping point.

History of tract and condition of timber: Part of the merchantable saw timber has been removed from this tract. The remaining stands consist of red and chestnut oaks and hickory with a small amount of poplar. About 32 M. board feet on 30 A.-- 204 ads. of fuelwood on 68 acres.

Saw timber -- 32 M. Bd. Ft. valued @ \$3.00 per M. -- \$96.00  
Fuelwood -- 204 cords valued @ 75¢ per cord ---- 153.00  
\$249.00

Improvements: Dwelling: Frame 17x20', L part 14x25', porch 8x25', 6 rooms, porch 8x6' double side, brick flues, 2 story, 4 rooms, ceiled, 2 plastered, fair condition, occupied by owner, spring pillar foundation --pumpkin house connected with spring-\$1035.00  
Spring house: (new) Frame 6x10x8', metal roof, good condition ---- 75.00  
Meat house: Log 10x14x10', shingle roof, poor condition- 10.00  
Wash house: Size 8x8x7', poor condition ---- 10.00  
New hen house: Frame 9x30x8', paper roof, good " 80.00  
Barn: Frame 15x30x16', metal roof, with shed 13x30', fair condition ---- 300.00  
Wagon shed: Frame 14x36x8', metal roof, poor condition - 25.00  
Hog pen: Frame 10x22x6', shingle roof, fair condition -- 20.00  
Garage: Frame 10x15x8', paper roof, fair condition -- 35.00  
Corn house: Log 9x15x8', shingle roof, poor condition -- 10.00  
\$1600.00  
30 cherry trees valued @ \$2.00 -- \$60.00  
31 apple trees valued @ \$2.00 -- \$62.00  
\$122.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	68	\$3.00	\$204.00
Tillable	38	35.00	1330.00
Grazing	51	20.00	1020.00
	157		\$2554.00



County: Rockingham  
District: Stonewall

#53-a - Dean, W. F., Jr.

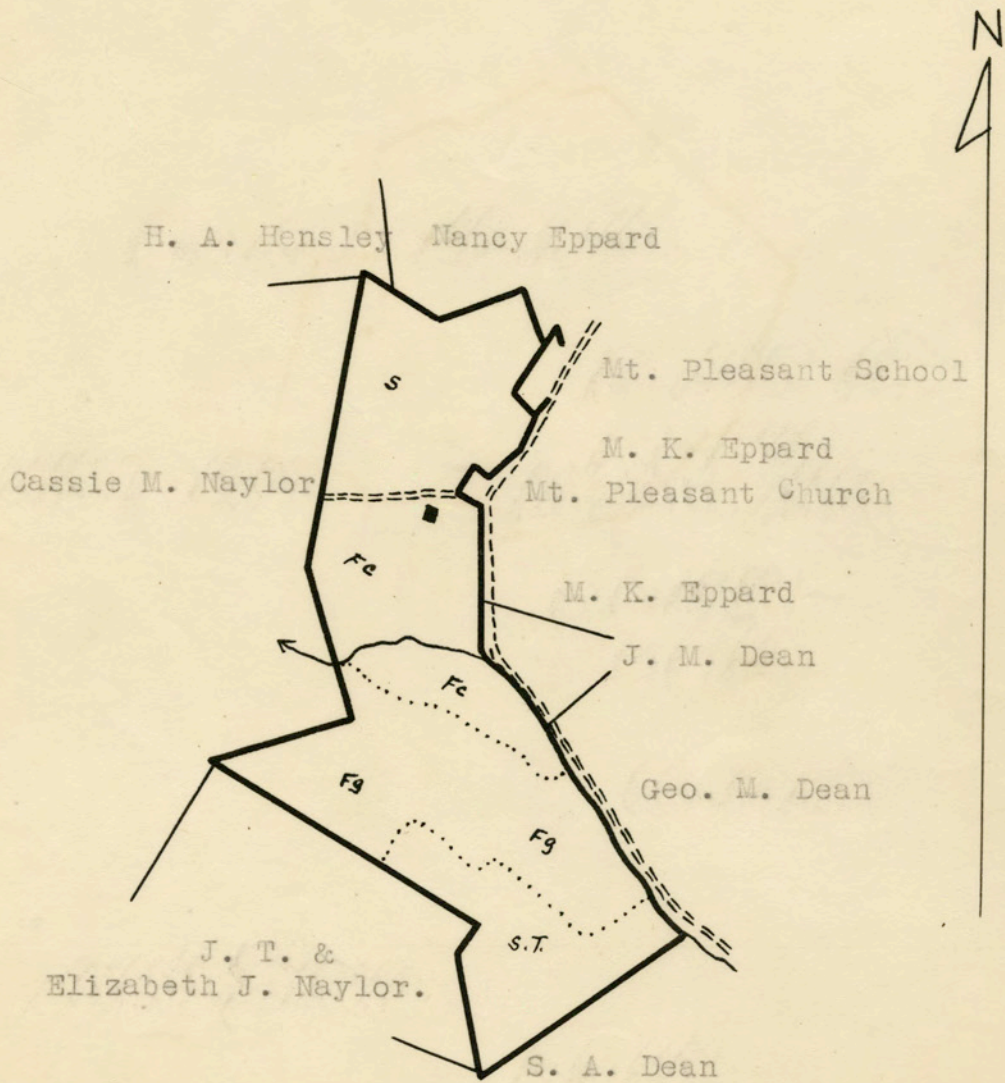
Cont'd

Total value of land	\$2554.00
Total value of improvements	1600.00
Total value of timber	249.00
Total value of fruit trees	<u>122.00</u>
Total value of tract	\$4525.00
Average value per acre	28.82



#53-a - Dean, W. F., Jr.

County: Rockingham  
District: Stonewall



LEGEND

Slope - Tillable

Grazing

Scale - 1" = 20 chains



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others  
and 52,501 acres of land  
in Rockingham County.

Filed in the Clerk's Office  
Rockingham County, Va.

Oct. 1 1932

*J. Robert Switzer* Clerk

TO THE HON. H.W. BERTRAM, JUDGE OF SAID COURT.

The motion of W.F. Dean, Jr., praying said Court to disapprove and to decline to accept the findings of the Board of Appraisal Commissioners, heretofore appointed by said Court in the above matter, wherein said Board reported, under No. 53 of its findings, as filed in the Clerk's Office of said Court, that the movant was only entitled to 48 acres, which was valued at an average price of \$20.62 per acre, and wherein said Board, under its No. 53-a, further reported that movant was only entitled to the average price of \$30.10 per acre for the 157 acres.

The grounds of said motion are as follows:

- (1) Under the finding of said Board No. 53, said Board is in error in reporting that movant only owns 48 acres in that particular tract. The fact is that the deed for said tract calls for 64 acres, 2 roods, and 21 poles, and by a recent calculation made by P.B.F. Good, the County Surveyor, it is shown that said deed calls for 58.2 acres. There has been no recent survey of the land.
- (2) The price per acre allowed for the 157 acres of land, reported under 53-a, is manifestly inadequate and confiscatory, because said lands are worth at least \$1,500.00 more than is allowed for the same by said Board, as is shown by the affidavits attached hereto. This tract of land is asked to be excluded from the Park area.



(3) That the finding of said Board was based upon a mistake of law as to the nature and effect of the evidence produced before said Board by the above named party.

The affidavit attached hereto is asked to be read in support of this exception.

H. F. Dean, Jr.  
By Counsel.

G. S. Harnsberger  
Counsel.



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others  
and 52,501 acres of land  
in Rockingham County.

The affidavit of P.B.F. Good, Surveyor for Rockingham  
County, to be read in connection with the motion filed by W.F.  
Dean, Jr., to have the findings of the Board of Appraisal  
Commissioners disapproved in connection with its finding No. 53.

State of Virginia,

City of Harrisonburg, to-wit:

This day P.B.F. Good personally appeared before me, F.  
Flavia Converse, a Notary Public in and for the City and State  
aforesaid, in the State of Virginia, in my City aforesaid, and,  
being duly sworn, deposes and says:

I am the County Surveyor for Rockingham County, and  
several days ago Mr. W.F. Dean, Jr., brought me his deed which calls  
for two tracts of land, the acreage of one tract being given in  
the deed as 60 acres, 2 roods, and 21 poles, and the other tract  
as 3 acres and 2 roods. I made a calculation from said deed of  
the area of said tracts, and find that the two tracts contain 58.2  
acres of land. I am informed that the Surveyor for the Conserva-  
tion Commission reported that said tracts contain only 48 acres  
of land. I believe this to be erroneous. I am informed that  
these lands have not been actually surveyed for a number of years,  
and it would seem that the only way accurately to determine the  
acreage, as I understand there is no dispute about the adjacent  
boundaries, would be by an actual survey of the same.

Subscribed and sworn to  
before me this 10<sup>th</sup> day of October, 1932.

F. Flavia Converse, Notary Public.



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others  
and 52,501 acres of land  
in Rockingham County.

The affidavit of W.F. Dean, Jr., to be read in connection with the motion filed by him to have the findings of the Board of Appraisal Commissioners disapproved in connection with its findings No. 53 and No. 53-a.

State of Virginia,

City of Harrisonburg, to-wit:

This day W.F. Dean, Jr., personally appeared before me, F. Flavia Converse, a Notary Public in and for the City aforesaid, in the State of Virginia, in my City aforesaid, and, being duly sworn, deposes and says:

I am the owner of a tract of land situate near the crest of the Blue Ridge Mountains, in the eastern portion of Rockingham County, and reported by the Board of Appraisal Commissioners in this matter, under their No. 53, as containing only 48 acres. My deed calls for two tracts of land, one containing 60 acres, 2 roods, and 21 poles, and the other containing 3 acres and 2 roods. I have not had the land surveyed, but there has been no question raised during the twenty-five years that I have owned it about any of its boundaries, and so far as I know there was no question raised about its boundaries prior to that time. The Surveyor for the Park Commission states in his report that the tract referred to in the deed as containing 60 acres, 2 roods, and 21 poles only contains 46 acres, and the tract that is referred to in the deed as containing 3 acres and 2 roods only contains 2 acres. I have



had P.B.F. Good, Surveyor for Rockingham County, make a calculation of the acreage from the metes and bounds given in my deed, and he reports that said tracts contain 58.2 acres. Thus there is a shortage of about 16 acres from the amount of land called for in my deed, according to the calculation of the Surveyor for the Park Commission, and even under Mr. Good's calculation there is a shortage of about 6 acres. The difference between the calculation made by Mr. Good and the calculation made by the Surveyor for the Commission is about 10½ acres. I am asking that I be paid for the correct acreage of land to which I am entitled under my deed, which amount will have to be determined by an actual survey, and as I am apparently entitled to more land than is allowed by the Commission, the survey should be made at the cost of the Commission.

The other tract of 157 acres, owned by me and reported by the Appraisal Board under its No. 53-a is not appraised at its true value, but is appraised throughout at a valuation much lower than its fair market value. For example, 68 acres of land is only appraised at \$5.00 per acre, which is supposed to cover the wood and timber-land, and the timber and wood are only appraised at \$146.00, making the entire value of the 68 acres only \$486.00, or an average value of \$7.00 an acre. The wood and timber on this land alone are worth much more than that, there being a great deal of saw timber, to say nothing of the wood that can be gotten from said land. The buildings are only appraised at \$1,100.00, whereas \$2,500.00 of insurance is carried upon the same, which amount of insurance was approved by the representative of the insurance company. The other lands are appraised at about an average of \$35.00 per acre, whereas I have been offered for part of this land \$100.00 per acre, and wouldn't take it. Furthermore, I paid \$6,200.00 for the land in question, and have made considerable improvement on the same in the way of repairing



buildings, clearing up ground, and increasing the fertility. Even under present conditions, said property ought to be worth as much as I gave for it. I do not believe that a farm as good as this one can be replaced even to-day for the amount which is allowed me for this property, nor even for the amount at which I have above valued the property. This particular tract of land is not for sale, and the Appraisal Board is asked to exclude it from the Park area.

W. F. Dean, Jr

Subscribed and sworn to  
before me this 30th day of  
September, 1932.

L. Flavia Converse,  
Notary Public.



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 Sixty-One (52,561)  
Acres of land, more or less,

DEFENDANTS.

On this, the 2 day of <sup>January</sup> ~~December~~, 1934, came W.F. Dean, Jr., and, on his motion, leave is given him to file his application for the payment of the sum of \$1,250.00, the amount of the award set out in the judgment of condemnation for Tract No. 53, and heretofore paid into the court, and thereupon the Woodbine Cemetery Company tendered its answer to said petition, which answer is hereby accordingly filed. And it appearing from the report of said Board of Appraisal Commissioners, heretofore filed in this cause, and in the petition for judgment and condemnation entered herein on the 2d day of November, 1933, that in the opinion of petitioner the said W.F. Dean, Jr., is invested with a superior or better right or claim of title in and to the said tract of land No. 53, 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. 53, 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 taxable upon said Tract No. 53 have been paid, upon consideration whereof, it is considered and ordered by the Court that said sum of \$1,250.00, paid into Court by petitioner as just compensation for Tract No. 53, be paid out and distributed as follows:

- (1) To the Woodbine Cemetery Company the sum of \$1,124.00 ;
- (2) To Geo.S.Harnsberger, Attorney for W.F. Dean, Jr., the sum of \$126.00; and

And the Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who



shall pay unto the said Woodbine Cemetery Company the sum of \$1,124.00, and unto the said Geo.S.Harnsberger, Attorney for W. F. Dean, Jr., the sum of \$126.00, said two amounts aggregating the award set out in the judgment of condemnation for Tract No.53, taking from said Woodbine Cemetery Company and Geo.S.Harnsberger, Attorney for W.F.Dean, Jr., receipts therefor, and certifying such payment to the Clerk of this Court for appropriate entry thereof, as required by law.

Enter.

*HWB*

\_\_\_\_\_  
Judge.

*20*  
*68*



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

The State Commission on  
Conservation & Development  
of the State of Virginia

vs.

UPON PETITION OF W. F. DEAN, JR.

Cassandra Lawson Atkins  
and Others, &c.

The answer of Woodbine Cemetery Company, a corporation, to the petition filed by W. F. Dean, Jr. in the above entitled proceeding.

Respondent, for answer to said petition, or to so much thereof as respondent is advised that it is proper for it to answer, answering says:

That it is true, as alleged in the petition of the said W. F. Dean, Jr., that respondent is the holder of two bonds of One Thousand Dollars (\$1000.00) each, of date August 31st, 1923, payable December 1st, 1927, and December 1st, 1928, respectively, secured under a certain deed of trust executed by W. F. Dean, Jr. and Lucy E. Dean, his wife, to Geo. N. Conrad, Trustee, duly of record in the Clerk's Office of Rockingham County, Virginia, in Deed Book #127, page 67, and, in which deed of trust there was conveyed, to secure the payment of the bonds therein recited, including the two bonds aforesaid, a farm situate about four miles east of Elkton, known as the F. B. Hensley farm, containing 116 acres, 2 roods and 13 poles; another farm of 40 acres, adjoining the said F. B. Hensley farm, and, two certain tracts of land situate in Hensley Hollow, adjoining the lands of Wesley Dean and others, and containing in the aggregate 64 acres and 21 poles, according to conveyances therefor, and, being the



same tracts conveyed to the said W. F. Dean, Jr. by Samuel J. Breeden and wife, by deed of date the 8th day of March, 1907, duly of record in said Clerk's Office in Deed Book #79, page 287.

That at the request of the said W. F. Dean, Jr., respondent has agreed, upon the payment to respondent of one of said bonds, and one year's interest due upon the other of said bonds, to release the said parcels of land in Hensley Hollow, conveyed under said deed of trust, the lien of said deed of trust upon the other real estate therein conveyed to remain stable and unaffected thereby, and as security for the other One Thousand Dollar (\$1000.00) bond held and owned by respondent.

Respondent joins in the prayer of said petition for payment of the sum of Twelve Hundred and Fifty Dollars (\$1250.00), fixed by the Appraisal Commissioners as the value of said Hensley Hollow land, and, disbursement to respondent therefrom of One Thousand Dollars (\$1000.00) on principal, and One Hundred and Twenty Dollars (\$120.00) on interest, which payment respondent agrees shall operate as satisfaction of the lien of said deed of trust to Geo. N. Conrad, Trustee, as to the land recited therein under paragraph "(3)", or the afore-said Hensley Hollow tracts of the said W. F. Dean, Jr., therein recited to contain 64 acres and 21 poles.

And now having fully answered, respondent asks to be hence dismissed.

Woodruff Cemetery Company  
By Counsel

*[Handwritten signature]*



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 Sixty/One (52,561) Acres of land,  
more or less, DEFENDANTS.

TO THE HON. H.W.BERTRAM, JUDGE OF SAID COURT.

Your petitioner, W.F.Dean, Jr., respectfully represents:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the petitioner the fee simple estate in a tract of land formerly the property of your petitioner, situate in Hensley's Hollow, on 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 therewith, as Tract No. 53, at the price of \$1,250.00.

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

Your petitioner further shows to the Court that the only lien outstanding and binding said land is a lien by way of deed of trust executed by W.F.Dean, Jr., and his wife, to Geo.N.Conrad, Trustee, dated August 31, 1923, which deed of trust is duly of record in said Clerk's Office in D.B.127, Page 67, in which deed the land heretofore condemned in this proceeding along with



certain other lands belonging to your petitioner was conveyed to said Trustee to secure the payment of two certain bonds of even date with said deed of trust, in the sum of \$1,000.00 each, made by your petitioner and his wife, with interest from date, interest payable annually, which said bonds are payable to Laird L. Conrad, General Receiver, on December 1, 1927, and 1928, respectively. The interest on both of said bonds has been paid to December 1, 1932. The said bonds have been transferred to, and are now held and owned by, The Woodbine Cemetery Company.

That the other bonds referred to in said deed of trust have been paid and released on the margin of said deed of trust.

Your petitioner is informed and avers that The Woodbine Cemetery Company, upon the payment to it of \$1,000.00 and the interest on the \$2,000.00 of indebtedness, namely, \$120.00, will release the land condemned heretofore in these proceedings from the lien securing the balance of \$1,000.00 held by it.

That no other person or persons than your petitioner and The Woodbine Cemetery Company are entitled to share in the distribution of said award.

Wherefore, your petitioner prays that he may be made a party herein and be allowed to file his petition in these proceedings; that The Woodbine Cemetery Company may be made a party defendant to this petition, and be required to answer the same, answer under oath being waived; that an order may be entered in this proceeding for the distribution of said fund; and that your petitioner may have such other and further relief as the nature of the case may require.

Geo. S. Harnsberger,  
Counsel.

W. F. Deane, Jr.



State of Virginia,  
City of Harrisonburg, to-wit:

This day W.F. Dean, Jr., the petitioner in the above entitled matter, personally appeared before me, F. Flavia Converse, a Notary Public in and for the City aforesaid, in the State of Virginia, in my City aforesaid, and, being duly sworn, deposes and says:

I am the petitioner in the above entitled matter. I have am 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 my knowledge and belief.

W. F. Dean, Jr.

Subscribed and sworn to  
before me this 14th day of  
December, 1933.

F. Flavia Converse,  
Notary Public.



In the Circuit Court of Rockingham County, Virginia.

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

v.

Cassandra Lawson Atkins and others  
and 52,501 acres of land in  
Rockingham County, Virginia.

Filed in the Clerk's Office  
Rockingham County, Va.

NOV 5 1932

*J. Robert Switzer* Clerk

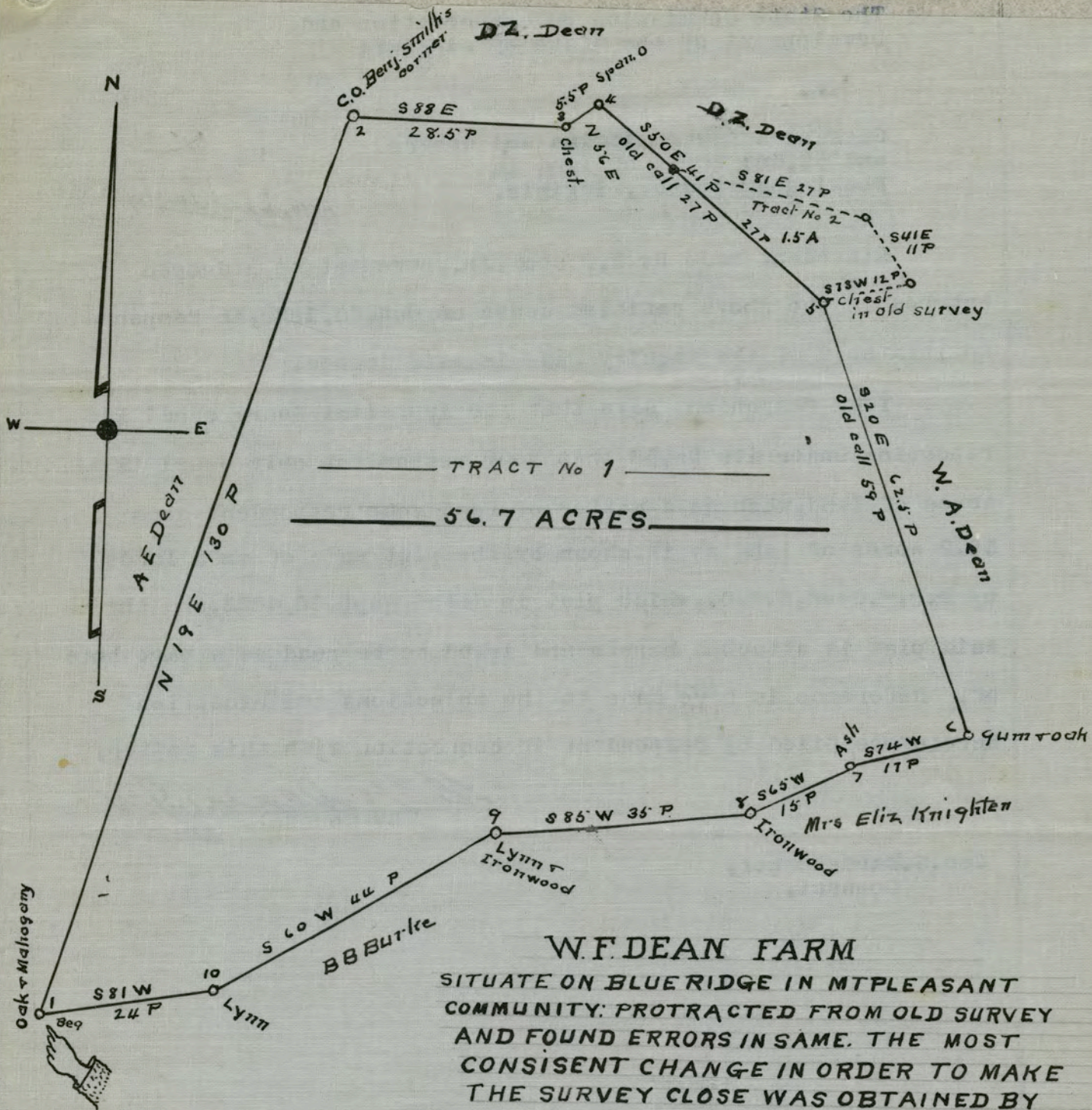
Statement made by W.F. Dean, Jr., pursuant to a decree entered in the above entitled cause on Oct. 25, 1932, in response to Item No. 2 of the inquiry made in said decree.

Your respondent says that the Appraisal Board erred in reporting under its No. 53 that your respondent only owned 48 acres of land, when as a matter of fact your respondent owns 58.2 acres of land as is shown by the plat made of said lands by P.B.F. Good, S.R.C., which plat is dated Sept. 30, 1932, and the said plat is attached hereto and asked to be read as a part hereof. Reference is here made to the objections and exceptions heretofore filed by respondent in connection with this matter.

*W. F. Dean, Jr.*  
By Counsel.

Geo. S. Harnsberger,  
Counsel.





**W.F. DEAN FARM**  
 SITUATE ON BLUE RIDGE IN MTPLEASANT  
 COMMUNITY: PROTRACTED FROM OLD SURVEY  
 AND FOUND ERRORS IN SAME. THE MOST  
 CONSISTENT CHANGE IN ORDER TO MAKE  
 THE SURVEY CLOSE WAS OBTAINED BY  
 EXTENDING LINE NO 4 FROM 27 TO 41 P  
 AND LINE NO 5 FROM 59 TO 62.5 P

SEP 30 1932

1 1/2 20 P



**M. H. HARRISON**  
**TREASURER OF ROCKINGHAM COUNTY**  
**HARRISONBURG, VIRGINIA**

I hereby certify that the records of my office show that W. F. Dean Jr., has paid the taxes <sup>for the year 1933</sup> on his tract of 64-0-21 of land situate in the Blue Ridge mountains, Stonewall District, Rockingham County, and that said land is not delinquent for the year 1932.

All taxes prior to that time, if any be unpaid, are a matter of record in the Clerk's Office of said County.  
Given under my hand this 14th day of December, 1933.

*M. H. Harrison*  
Treasurer of Rockingham County.

I hereby certify that the records of my office do not show any delinquent taxes against the tract of mountain land assessed in Stonewall District, Rockingham County, Virginia, as 64 acres, 0 roods and 21 poles in the name of W. F. Dean, Jr.

Given under my hand this 14th day of December, 1933.

*J. Robert Switzer*  
Clerk of the Circuit Court of  
Rockingham County, Virginia

*By Margaret Branum, D.C.*





# Commonwealth of Virginia

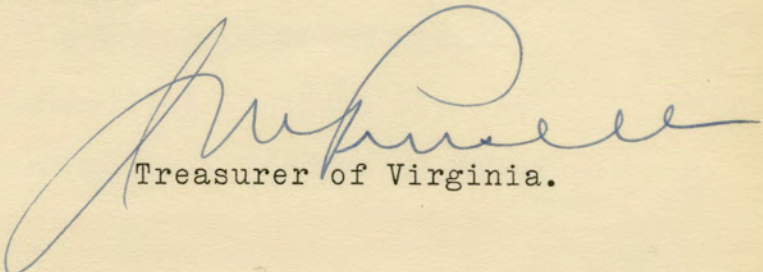
TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

JOHN M. PURCELL  
TREASURER OF VIRGINIA

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 5 day of January in accordance with an order of the circuit court of Rockingham County dated ~~12~~ 1/2/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Geo. S. Harnsberger Attorney for W. F. Dean, Jr. \$ 126.00 being in full settlement of tract # 53 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

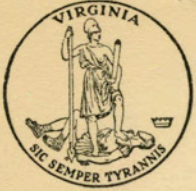
Geo. S. Harnsberger, Attorney for W. F. Dean, Jr.

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 126.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 2nd day of January 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 # 53.

*Geo. S. Harnsberger,  
Attorney for W. F.  
Dean, Jr.*

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





JOHN M. PURCELL  
TREASURER OF VIRGINIA

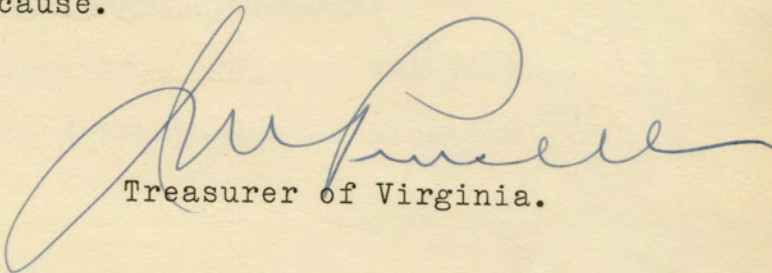
# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 5 day of January in accordance with an order of the circuit court of Rockingham County dated 1/2/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassanadra Lawson Atkins paid to Woodbine Cemetery Company \$ 1124.00 being in full settlement of tract # 53 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

Woodbine Cemetery Company

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 1,124.00, in accordance with an order of the Circuit Court of the county of Rockingham County entered on the 2nd day of January 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 # 53.

1/6/34

*Woodbine Cemetery Co.  
By W. S. [Signature] Treas.*

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