

NAME OF CLAIMANT

#324 - Smart, Wm. B. & Ida.

Number of Acres: 10

Location: Richland Heights. Entirely within the Park area.

Roads: Three miles via dirt road to Grottoes, the nearest shipping point.

Soil: Sandy loam, slope type, fairly level, some scattering loose rock.

History of Tract and condition of timber: This tract was cut over six years ago, the remaining stands consist of a small amount of second growth yellow pine and oaks.

Improvements:

None.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
-------	---------	--	----------------	-------------

Ridge:

Slope:	10	@	\$5.00	\$50.00
--------	----	---	--------	---------

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$50.00	
Value of Improvements: \$	15.00
	<u>\$65.00</u>

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$ 15.00

Value per acre for tract: \$ 6.50

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

*Geo. N. Pen.* CLERK.

Claim of William B. and Ida C. Smart  
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. William B. and Ida C. Smart

owners of Ten and 2/100 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.

<sup>our</sup> My name is William B. and Ida C. Smart  
<sup>we</sup> My post office address is Arnot, Pennsylvania

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 10 29/100 acres, on which there are the following buildings and improvements:

This land is located about 2 1/2 miles from Grottoes Virginia, in the \_\_\_\_\_ 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.)

The land owners adjacent to the above described tract or parcel of land are as follows:  
North Cutler Bros, and Lydia H. La Bayne  
South John A. Alexander  
East Lydia H. La Bayne  
West John Smart

I acquired my right, title, estate or interest to this property about the year 1921 in the following manner:

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

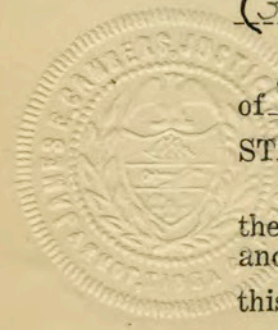
I am the owner of \_\_\_\_\_ acres of land adjoining the above described tract or parcel of land but lying outside the Park area, which I claim will be damaged by the proposed condemnation of lands within the Park area, to the extent of \$\_\_\_\_\_.

(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: We are not going to put in a claim for this land other than to tell you what it costs. Total cost of this land. Four Hundred and Fifty Dollars (350.00)  
(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 12th day of February, 1930. Ida C. Smart, Wm B. Smart  
STATE OF PENNSYLVANIA, COUNTY OF Rockingham, To-wit:

The undersigned hereby certifies that Ida C. Smart & Wm B. Smart 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 13th day of February, 1930.



Jules C. Cantor, J.P.  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.  
Arnot Toga Co. Pa.

My Commission Expires 1st Monday in Jan'y, 1932.  
Filed 2/16/31  
J.F.B.

County: Rockingham  
District: Stonewall

#324 - W. B. Jr. & Ida C. Smart

Acreage Claimed: 10-<sup>29</sup> Assessed 10.50 Deed 10.56

Value Claimed: " \$50.00 " 1921 \$350.00

Location: Richland Heights. Entirely within the Park area.

Laps: None known.

Soil: Sandy loam, slope type, fairly level, some scattering loose rock.

Roads: 3 miles via dirt road to Grottoes, the nearest shipping point.

History: This tract was cut over six years ago, the remaining stands consist of a small amount of second growth yellow pine and oaks about 3 cds of fuel wood per A.  
@ \$0.50 per cd. \$15.00

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	10	\$3.00	\$30.00

Total value of land \$30.00

Total value of improvements

Total value of timber \$15.00

Total value of tract 45.00

Average value per acre 4.50

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

PETITIONER,

vs.

At Law No.1829.

Cassandra Lawson Atkins  
and others.

On this 7 day of May, 1935, came Ida C. Smart  
and William B. Smart, and, on their motion, leave is given them  
to file their application for distribution of the award in this  
case, which award was in their favor and the amount of the award  
as set out in the judgment of condemnation for Tract No. 324 was  
\$65.00.

And it appearing from the report of the Board of Appraisal  
Commissioners heretofore filed in this suit and in the petition  
for judgment of condemnation heretofore entered herein, that, in  
the opinion of the said The State Commission on Conservation and  
Development of the State of Virginia, Ida C. Smart and William B.  
Smart were invested with a superior or better right or claim of  
title in and to said tract of land designated as No. 324, and  
that the record in said condemnation proceeding does not disclose  
any denial or dispute by any party or person interested as to the  
title to said tract designated as No. 324 or to the proceeds  
arising from the condemnation thereof.

Upon consideration whereof, it is considered and ordered  
by the Court that the said sum of \$65.00 be paid out as follows:

To J.R. Switzer, Clerk of the Circuit Court of Rockingham County,	\$2.00
To Geo. S. Harnsberger, attorney for Ida C. Smart and William B. Smart,	63.00

The Clerk of this Court is directed to transmit a cer-  
tified copy of this order to the Treasurer of Virginia, who shall

pay out said fund in accordance therewith, taking from the parties to whom the fund is directed to be paid their respective receipts for the sums paid to them and certifying such payment to the Clerk of this Court for appropriate entry thereof, as required by law.

Enter.

HWB  
Judge.

20  
354

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

PETITIONER,

vs.

At Law No. 1829.

Cassandra Lawson Atkins and  
others,

DEFENDANTS.

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

Your petitioners, Ida C. and William B. Smart, ~~et al.~~, re-  
spectfully represent:

That a judgment in rem has heretofore been entered in  
this proceeding, condemning to the use of The State Commission  
on Conservation and Development of the State of Virginia the  
fee simple estate in a tract of land formerly the property of  
your petitioners, situate in what is known as the Richlands  
Heights Development, about three miles east of Grottoes, in the  
eastern portion of Stonewall District, Rockingham County, Vir-  
ginia, 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. 324, at the price of \$65.00.

Your petitioners further show to the Court that all of  
the taxes on said property have been paid, and that there are no  
liens or claims of any kind existing on or against said property,  
and that no other person or persons than your petitioners are en-  
titled to share in the distribution of said award. Certificates  
of the Treasurer of Rockingham County and of the Clerk of this  
Court are herewith filed, marked "Ex. Certificate No. 1" and "Ex.  
Certificate No. 2" respectively, and the same are prayed to be  
read as parts hereof.

Wherefore, your petitioners pray that they may be made parties herein and be allowed to file their petition in this proceeding; that the fund in this cause may be paid to them or to their attorney of record; that an order may be entered in these proceedings for the distribution of said fund, and that your petitioners may have such other and further relief as the nature of the case may required.

Ida C Smart

*Geo. S. Harnsberger,  
Counsel.*

William B. Smart

State of Pennsylvania,

County of Tioga, to-wit:

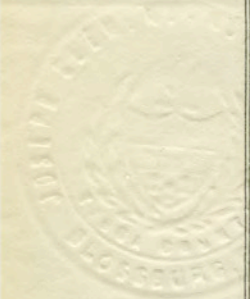
This day Ida C. Smart and William B. Smart, Jr., personally appeared before me, Joseph Clemens, a Notary Public for the County aforesaid, in the State of Pennsylvania, in my County aforesaid, and, being duly sworn, depose and say:

We are the petitioners in the above entitled matter; the land condemned in this proceeding formerly belonged to us. We have read the above petition, have signed the same, and do hereby state that the matters of fact therein set forth are true, to the best of our knowledge and belief.

Ida C Smart  
William B. Smart

Subscribed and sworn to before me this 4<sup>th</sup> day of May, 1935. In testimony whereof, I hereunto affix my Notarial seal.

Joseph Clemens,  
Notary Public.  
*My Commission expires March, 12, 1937*

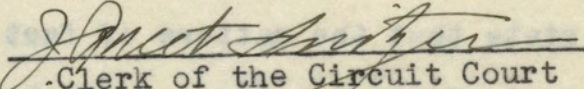


STATE OF VIRGINIA,

COUNTY OF ROCKINGHAM, To-wit:

I hereby certify that the records of my office do not show any delinquent taxes against the tract of 10.29 acres, in Stonewall District, Richmond Heights, assessed in the name of Ida C. and Wm. B. Smart.

Given under my hand this 1st day of May, 1935.

  
Clerk of the Circuit Court  
of Rockingham County, Va.



**M. H. HARRISON**  
**TREASURER OF ROCKINGHAM COUNTY**

HARRISONBURG, VIRGINIA

May 1st, 1935

To Whom It May Concern:

This is to certify that there are no  
unpaid taxes assessed in the name of Ida C. & Wm. B. Smart  
10.29 acres, Richland Heights Development, Stonewall District,  
County of Rockingham, State of Virginia.

Respectfully,

M. H. Harrison, Treasurer,

By. *E. A. Zigler* Deputy...



~~JOHN M. PURCELL~~  
TREASURER OF VIRGINIA

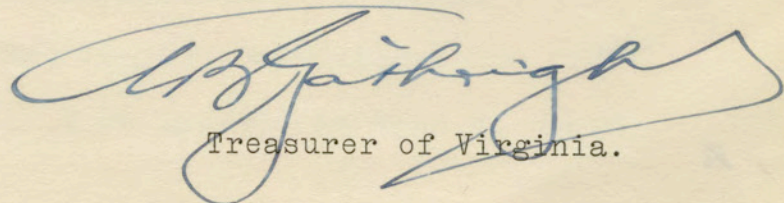
# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

May 17, 1935

A. B. Gathright

This is to certify that I, ~~John M. Purcell~~, Treasurer  
of Virginia have this 17 day of May in accordance  
with an order of the circuit court of Rockingham County  
dated 5/9/35 in the cause of the State Commission  
on Conservation and Development of the State of Virginia  
vs. Cassandra Lawson Atkins and others  
paid to Geo. S. Harnsberger, Attorney for Ida C. Smart and  
William B. Smart, Harrisonburg, Virginia  
\$ 63.00 being in full settlement of tract # 324  
in the above mentioned cause.

  
Treasurer of Virginia.



~~JOHN W. PURCELL~~  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

May 17, 1935

Geo. S. Harnsberger, Attorney for  
Ida C. Smart and William B. Smart  
Harrisonburg, Virginia

A. B. Gathright  
Received of ~~John W. Purcell~~ Treasurer of  
Virginia, the sum of \$ 63.00, in accordance  
with an order of the Circuit Court of the county  
of Rockingham entered on the 9th day  
of May 1935, 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 # 324.

*Geo. S. Harnsberger*  
*Att'y for Ida C. Smart &*  
*Wm. B. Smart.*

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



~~JOHN M. PURCELL~~  
TREASURER OF VIRGINIA

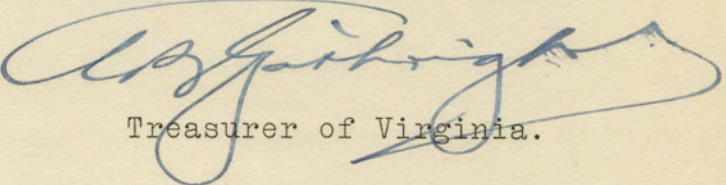
# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

May 17, 1935

A. B. Gathright

This is to certify that I, ~~John M. Purcell~~, Treasurer  
of Virginia have this 17 day of May in accordance  
with an order of the circuit court of Rockingham County  
dated 5/9/35 in the cause of the State Commission  
on Conservation and Development of the State of Virginia  
vs. Cassandra Lawson Atkins and others  
paid to J. R. Switzer, Clerk of the Circuit Court of Rockingham  
County, Harrisonburg, Virginia  
\$ 2.00 being in full settlement of tract # 324  
in the above mentioned cause.

  
Treasurer of Virginia.



# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

~~JOHN M. PURCELL~~  
TREASURER OF VIRGINIA

May 17, 1935

J. R. Switzer, Clerk of the Circuit Court of  
Rockingham County  
Harrisonburg, Virginia

A. B. Gathright  
Received of ~~John M. Purcell~~, Treasurer of  
Virginia, the sum of \$ 2.00, in accordance  
with an order of the Circuit Court of the county  
of Rockingham entered on the 9th day  
of May 1935, 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 # 324.

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