

ROCKINGHAM COUNTY

NAME OF CLAIMANT

#368 - Lam, E. C.

Number of Acres: Lot

Location: Near the Swift Run Church along the Spotswood Trail and opposite L. C. Meadow's Store.

Roads: Bordering the Spotswood Trail which is now a hard surfaced road.

Soil: --

History of Tract and condition of timber: Formerly used in connection with a store lot, but since the relocation of the Spotswood Trail the lot was acquired by the present owner who erected the filling station which is now on it.

Improvements: Filling station: Consists of stone store room 14x20', with front over gas pumps 17x20' supported by two stone columns 25x25x11', all with metal roof.

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
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Ridge:

Slope:

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$ 100.00

Value of Improvements: \$ 1200.00

Value of Orchard: \$ 1300.00 ----- TOTAL.

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: \$ NONE.

Geo. N. Lewis CLERK. 12

Claim of E. C. Lamm
In the Circuit Court of Parkingham County, Virginia, No. _____, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. _____

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

My name is E. C. Lamm

My post office address is #4 Bagan Circle, Washington DC

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 18 acres, on which there are the following buildings and improvements: filling station & storage

This land is located about 4 1/2 miles from Glendon 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.)

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

North _____

South _____

East _____

West _____

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

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 3000.00. 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 \$ 3000.00

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: _____

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 30 day of April, 1930

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

The undersigned hereby certifies that E. C. Lamm, 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 30 day of April, 1930

Jos. N. Lamm
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

new

County: Rockingham
District: Stonewall

#368 - Lam, E. C.

<u>Acreage Claimed:</u>	Assessed: ^x	Deed: ^x
<u>Value Claimed:</u>	Assessed:	Deed:

Location: Near the Swift Run Church along the Spotswood Trail and opposite L. C. Meadow's Store.

Incumbrances, counter claims or laps: None so far as known.

Soil:

Roads: Bordering the Spotswood Trail which is now a hard surfaced road.

History of tract and condition of timber: Formerly used in connection with a store lot, but since the relocation of the Spotswood Trail the lot was acquired by the present owner who erected the filling station which is now on it.

Improvements: Filling station: Consists of stone store room 14x20', with front over gas pumps 17x20' supported by two stone columns 25x25x11', all with metal roof. ---- \$1000.00

Value of land by types:

<u>Type</u>	<u>Acreage</u> Lot	<u>Value</u> per acre	<u>Total</u> Value
			\$200.00
Total value of land		\$200.00	
Total value of improvements		1000.00	
Total value of tract		\$1200.00	

Average value per acre --

x -- This lot was acquired at a comparatively recent date hence no information as to cost or assessed value is available.

original

LAW OFFICES

E. DULANEY OTT

HARRISONBURG, VA.

FIRST NATIONAL BANK BUILDING

OK.
Alms

In the Circuit Court of Rockingham County Virginia

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

vs.)

1829

Cassandra Lawson Adkins and others

TR:

E. C. Lam claim

(Arbitration)

Claim of E. C. Lam
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. _____

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 E. C. Lam
My post office address is #4 Logan Click, Washington, D. C.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 1/8 acres, on which there are the following buildings and improvements: Filling Station and Storeroom

This land is located about 4 1/2 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.)

The land owners adjacent to the above described tract or parcel of land are as follows:
North _____
South _____
East _____
West _____

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

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 3000.00. 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 \$ 3000.00.

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: _____

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 30 day of April, 1938 X E. C. Lam

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

The undersigned hereby certifies that E. C. Lam 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 30 day of April, 1938.

Geo. H. Levi

~~Clerk of the Court, or~~ Special Investigator or Notary Public, or Justice of the Peace.

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, Virginia.

Filed in the Clerk's
Office Rockingham
County, Va.
Sep. 28, 1932

J. Robert Switzer, Clerk

To the Honorable H.W. Bertram, Judge of said Court:

The motion of E. C. Lam praying said Court to disapprove and 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. 368 of its findings, as filed in the Clerk's Office of said Court, that the lot of land situate near the Swift Run Church along the Spotswood Trail and opposite L. C. Meadows store to be the property of the movant, was valued at only \$1300.00. The grounds of said motion are as follows:

(1) That the price ~~is~~ for said land and improvements is so manifestly inadequate and confiscatory, as more fully appears from the affidavits hereto attached and asked to be read in support of this exception, as to justify a finding that in arriving at such price the Board fell into some error, mistake or misapprehension of facts as to the identity of the property with reference to which such price was made, or some mistake of law as to the nature and effect of the evidence produced before the Board with reference to which such price was made;

(2) That the price found by the Board for the land and improvements does not give to the owner the present fair market value of the same.

(3) That the finding of said Board is, apparently, from the statements contained in its report, made, without taking into consideration, or at least without giving effect in its final decision to the value of the land and the improvements thereon, and to the income producing capacity of the property,

all of which will more readily appear from the affidavits attached hereto and which are asked to be read in support of this exception;

(4) That the price allowed for the property violates Article 5 of the Constitution of the United States, wherein it states: "Nor shall private property be taken for public use without just compensation;"

(5) The finding of said Board violates Section 58 of the Constitution of Virginia, wherein it says: That the General Assembly of Virginia shall not enact any law whereby private property shall be taken or damaged for public uses without just compensation.

E. C. Lam

By Counsel

E. C. Ott

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,
Virginia

Affidavit of E.C. Lam 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
finding No. 368.

District of Columbia,

City of Washington, to-wit:

E. C. Lam this day personally appeared before me
_____ a Notary Public in and for the
City aforesaid in the District of Columbia, and being duly
sworn deposes and says:

I am the owner of a lot of land, containing 3815 square
feet, which borders the Spotswood Trail, which is now a hard
surfacted road, and is improved by a filling station, consisting
of a stone ^{store room} ~~store room~~ 14 x 20 feet, with front over gas pumps
17 x 20 feet, supported by two stone columns 25 x. 25 x 11 feet;
over the whole building is a good metal roof, nearly new, inside
the filling station is a concrete floor; the filling station has
four windows with two glass panes in each window, 30 inches x 30 inches
also two front windows with plate glass each 59 inches x 72 inches
in dimension, one door with glass therein 28 x 36 inches, five
small windows above the plate glass windows, having three panes
each, 10 x 21 inches in dimension, the front of the filling station
over the pumps is ceiled with excellent pine lumber, and there are
thirty-three electric lights in the filling station and in front
over the gas pumps. On the lot on which the filling station stands,
is one pump and two tanks (underground) the property of E. E. and
E. C. Lam, the pump costing \$125.00 and the tank costing \$75.00.
There is likewise another tank on the same lot belonging to E.C.

Lam which cost \$60.00. There are two more pumps on the said lot and one tank (underground) which belong to Maphis & Chapman; that the location of this filling station near Swift Run Church, just before the ascent of the mountain is begun, and being the only filling station between that point and the top of the mountain some four miles away, makes it an extremely valuable property; that the income producing value of said property is hard to estimate because no accurate records have been kept of the same; that he has been offered \$5,000.00 for said property; that the lot with the improvements thereon is worth at the lowest estimate \$3000.00; that the said property is not for sale; and I hereby request that the same be omitted from the contemplated Park Area.

E. C. Lam

Subscribed and sworn to before me this _____ day of _____
1932.

Notary Public.

This is to certify that I took the above statement to E. C. Lam on the 27th day of September, 1932, he being a patient in ~~Sibley~~ Sibley Hospital, Washington, D.C., and he read and signed the same, but the Hospital authorities would not allow me to get a Notary Public so that I might get his affidavit thereto.

E. E. Lam

Virginia, City of Harrisburg, to-wit:
This day E. E. Lam personally appeared before the undersigned, Teresa Sullivan, a Notary Public in and for the City aforesaid in the State of Virginia, and made oath that the foregoing statement is true. Given under my hand this 28th day of September, 1932.

Teresa Sullivan
Notary Public

My commission expires March 20, 1935.

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,
Virginia.

Affidavit of E. E. Lam to be read in connection with
the motion filed by E. C. Lam to have the findings of the
Board of Appraisal Commissioners disapproved in connection
with its findings No. 368.

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

E. E. Lam, brother of E. C. Lam, this day personally
appeared before me, Teresa Sullivan, a Notary Public in
and for the City aforesaid in the State of Virginia, and
being duly sworn deposes and says:

I have been in charge of the filling station for my
brother, E. C. Lam, described in the findings No. 368, and have
operated the said filling station for about three years, and
while I have kept no accurate records of the business done
by me, selling gas, oil, automobile accessories, cigars,
candies, etc., I feel that I am justified in saying that I
consider the location of this filling station one of the best
on the Spotswood Trail, and in my opinion, the lot on which
the filling station stands and which surrounds it and the
filling station are worth, at a conservative estimate, \$3,000.00.
I have not taken in account, in my estimation, the value of the
gasoline pumps and gasoline storage tanks on and under said lot.

E. E. Lam

Subscribed and sworn to before me
this 28th day of September, 1932.

Teresa Sullivan 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,
Virginia.

Affidavit of A. M. Gooden to be read in connection with
the motion filed by E. C. Lam to have the findings of the Board
of Appraisal Commissioners disapproved in connection with its
finding No. 368.

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

A. M. Gooden this day personally appeared before me,
Teresa Sullivan, a Notary Public in and for the City aforesaid
in the State of Virginia, and being duly sworn, deposes and says:

I am 51 years of age; I am a contractor by occupation;
I reside at Elkton, Virginia; On Saturday, September 24, 1932,
I inspected carefully the filling station near Swift Run Church;
situate along the Spotswood Trail, opposite L. C. Meadows' store,
owned by E. C. Lam, and the said filling station, which is
constructed of stone with a front over gas pumps 17 x 20 feet,
supported by two stone columns 25 x 25 x 11 feet could not be
replaced today for less than \$1073.39; that the lot on which the
filling station stands and which surrounds it, and which I am
advised contains 3815 square feet, is in my opinion worth
\$1,000.00, that this makes a total estimate of \$2073.39 for
the buildings and the lot, which I consider very conservative;
that I have not taken in account, in my estimation, the value
of the gasoline pumps and gasoline storage tanks on or under
the said lot.

A. M. Gooden

Subscribed and sworn to before me this 26th day of
September, 1932.

Teresa Sullivan
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,
Virginia.

Affidavit of L. A. Hensley to be read in connection
with the motion filed by E. C. Lam to have the findings of the
Board of Appraisal Commissioners disapproved in connection
with its finding No. 368.

State of Virginia,
County of Rockingham, to-wit:

L. A. Hensley this day personally appeared before me,
H. B. C. Gentry, a Notary Public in and for the County aforesaid
in the State of Virginia, and being duly sworn, deposes and says:

I am 38 years of age; I am a contractor by occupation;
I reside near Elkton, Virginia; On Saturday, September 24, 1932,
I inspected carefully the filling station near Swift Run Church,
situate along the Spotswood Trail, opposite L. C. Meadows' store,
owned by E. C. Lam, and the said filling station, which is
constructed of stone with a front over gas pumps 17 x 20 feet,
supported by two stone columns 25 x 25 x 11 feet could not be
replaced today for less than \$1127.00 that the lot on which the
filling station stands and which surrounds it, and which I am
advised contains 3815 square feet, is in my opinion worth
\$1000.00; that this makes a total estimate of \$2,127.00 for the
buildings and the lot, which I consider a very conservative
figure; that I have not taken in account, in my estimation,
the value of the gasoline pumps and gasoline storage tanks on
or under the said lot.

L. A. Hensley

Subscribed and sworn to before me this 27th day of
September, 1932.

H. B. C. Gentry 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,
Virginia.

Affidavit of H. B. C. Gentry to be read in connection
with the motion filed by E. C. Lam to have the findings of
the Board of Appraisal Commissioners disapproved in connection
with its finding No. 368.

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

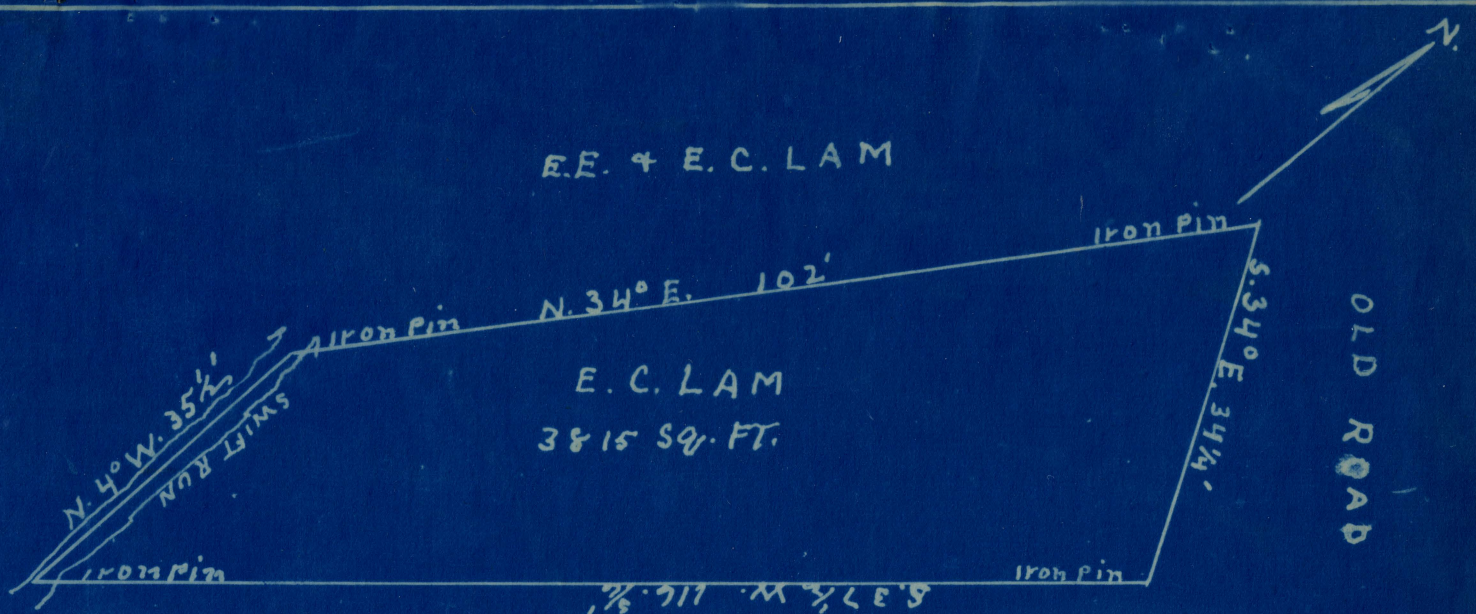
H. B.C. Gentry this day personally appeared before me,
Teresa Sullivan, a Notary Public in and for the City aforesaid
in the State of Virginia, and being duly sworn, deposes and says:

I am 79 years of age; I am a dealer in real estate and
fire insurance agent by occupation; I reside at Elkton, Virginia;
I am familiar with the lot situate at Swift Run in Rockingham
County, along the Spotswood Trail, opposite L. C. Meadows's store,
improved by a filling station, and said to contain 3815 square
feet, and have known the same for 50 years; that considering the
location of the lot, said lot is in my opinion, worth today at
a conservative estimate \$1,000.00; that I am not familiar with
the costs of the construction of such buildings as are erected
thereon, and therefore can form no opinion as to their value.

H. B. C. Gentry

Subscribed and sworn to before me this 26th day of September,
1932.

Teresa Sullivan
Notary Public.



SPOTTSWOOD TRAIL

"Exhibit Plat"

PLAT

OF E.C. LAM'S LOT LYING ON THE N.W. SIDE OF SPOTTSWOOD TRAIL
 SWIFT RUN VIRGINIA NOV. 8th 1932 H.R. MYERS SCALE 1" = 20'

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

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

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

vs. 1829

Nov. 8, 1932

J. Robert Switzer, Clerk

Cassandra Lawson Atkins and Others, and fifty-two
thousand, five hundred and sixty-one (52,561) acres,
more or less of land in Rockingham County, Virginia.

Written Statement made by E. C. Lam, pursuant to a
decree entered in the above entitled cause on October 25, 1932.

In compliance with the order entered in the above
entitled cause on October 25, 1932, and in response thereto,
the said E. C. Lam respectfully states that the lot of land
within the area sought to be condemned, the ownership of which
is claimed by him, and with reference to which he has filed
his objections, is believed to be the same lot of land which
was found by the Appraisal Commissioners to be the lot of land
owned by him, being Tract No. 368, situate near the Swift
Run Church along the Spottswood Trail, and opposite L. C.
Meadows' store, but as said lot as shown and delineated on
the map filed with the report and exhibit sheets thereto
attached, made by said Commissioners does not give the boundary
lines of said land, nor the square feet contained in said lot,
said boundary lines as well as the square feet contained in said
lot are herewith shown by a plat filed herewith, marked "Exhibit
Plat", which is asked to be read as a part hereof. Said boundary
lines were obtained by a survey of said lot this day made by
A. R. Myers, Surveyor.

Given under my hand this 8th day of November, 1932

E. C. Lam

E. D. Ott
Counsel.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

The State Commission on Conservation and Development of the State of Virginia
Vs.) 1829

Cassandra Lawson Adkins, and Others.

Re: E. C. Lam claim.

Statement in writing called for by
Judge Philip Williams, Chairman of the Board of
Arbitrators by letter of August 8, 1933, in which
it is asked to give -

(1) The grounds of your exceptions,
especially in so far as they raise any question as
to damages or of the value of lands and improvements
sought to be condemned.

(2) The number or numbers of the tract
or tracts shown on the various county ownership maps
filed in said proceedings which are claimed by you or
in which you claim an interest.

(3) The authority of Counsel to act in these
proceedings.

Answering Paragraph No. (1) reference is
first made to the grounds of said exception, which are
set out in said exception. To state the matter of the
exception in a general way, E. C. Lam contends that
the finding of the Board of Appraisal Commissioners
allowing him \$1300.00 for his property situate near
Swift Run Church, which borders the Spotswood Trail,
consisting of a lot of land containing 3815 square
feet, improved by a filling station consisting of a
stone storeroom 14 x 20 feet with front over gas pumps
17 x 20 feet supported by two stone columns 25 x 25 x 11
feet, said building being in excellent condition, and
there being on the lot on which the filling station
stands one pump and two tanks (underground) the property
of E. C. Lam and his brother E. E. Lam, the pump costing
\$125.00 and the tank costing \$75.00, and there being also
on the said lot another tank belonging to E. C. Lam

costing \$60.00; this filling station being located at a point just before the ascent of the Blue Ridge Mountain is begun, and being the only filling station between that point and the top of the Blue Ridge Mountain some four miles away; is not just compensation; that he has been offered \$5,000.00 for said property; that the amount of \$1300.00 found by the Board of Appraisal Commissioners fails to give to said E. C. Lam such a sum for his property as would put him in as good a position pecuniarily as he would have been if his property had not been taken, and fails to give him a full and perfect equivalent for the loss sustained by the taking of his property as guaranteed to him by law, and fails entirely to take into consideration the income producing feature of the property.

The affidavits of E. C. Lam, E. E. Lam, A. M. Gooden, a contractor, L. A. Hensley, another contractor, and H. B. C. Gentry, a real estate man, establish beyond any doubt that E. C. Lam has not received just compensation for his filling station property.

Answering Paragraph No. (2) - the number of the tract shown on the County ownership map filed in the condemnation proceedings claimed by E. C. Lam solely, is No. 368.

Answering Paragraph No. (3), there is affixed to this statement the authority of counsel to speak for E. C. Lam.

Aug. 15, 1933

E. C. Lam.

To Judges Williams, Alexander and Bertram,
Arbitrators appointed by the Governor
of Virginia in pursuance of the terms of
the agreement signed by the undersigned
and the State Commission on Conservation
and Development.

This is to certify that 9 have
employed as counsel, E. D. Ott of Harrisonburg,
Virginia, to represent the undersigned with
reference to the tract of land owned by the
undersigned, and designated as No. 368
on the County ownership map filed in the
proceedings of the State Commission on Conservation
and Development of the State of Virginia vs.
Cassandra Lawson Adkins, etc. (a case pending in
the Circuit Court of Rockingham County, Virginia)
in all proceedings before the above mentioned
arbitrators touching said tract of land.

Aug. 15, 1933

E. C. Lam.

LAW OFFICES
E. DULANEY OTT
HARRISONBURG, VA.
FIRST NATIONAL BANK BUILDING

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

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

vs.

1829

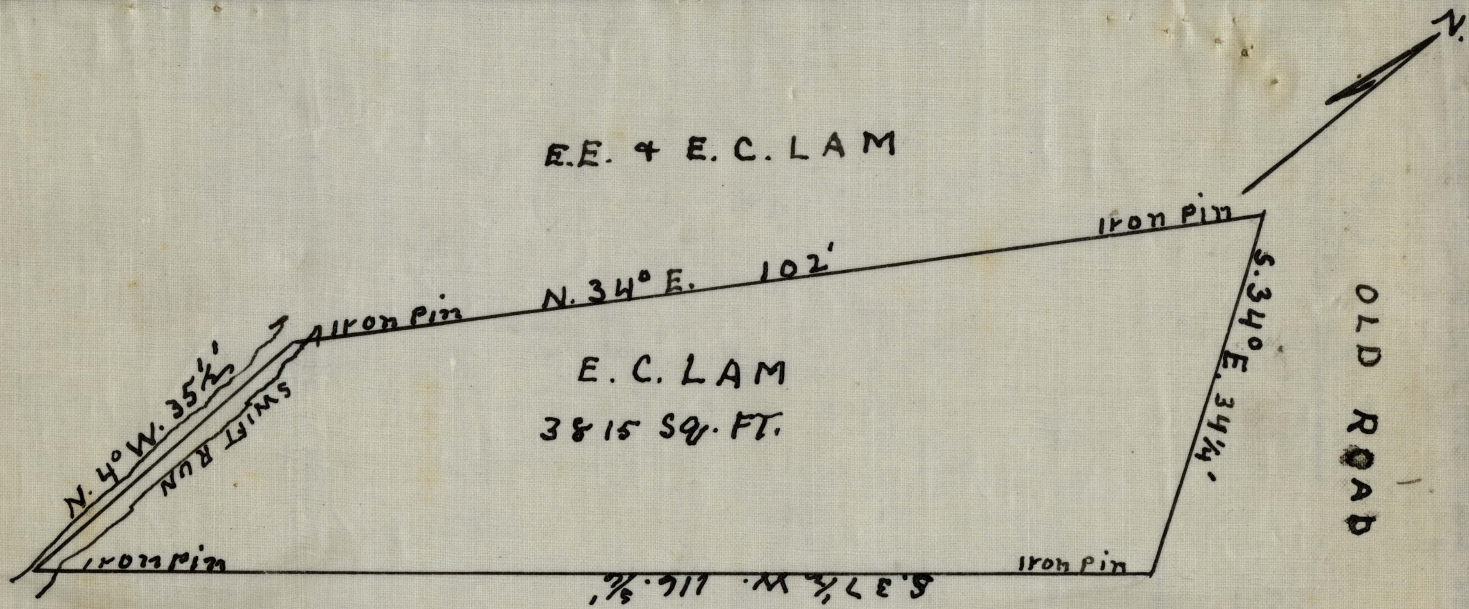
NOV 8 1932

Cassandra Lawson Atkins and Others, and fifty-two thousand,
five hundred and sixty-one (52,561) acres, more or
less of land in Rockingham County, Virginia.

J. Robert Switzer Clerk

Written Statement made by E. C. Lam, pursuant to a
decree entered in the above entitled cause on October 25,
1932.

In compliance with the order entered in the above
entitled cause on October 25, 1932, and in response thereto,
the said E. C. Lam respectfully states that the lot of land
within the area sought to be condemned, the ownership of which
is claimed by him, and with reference to which he has filed
his objections, is believed to be the same lot of land which
was found by the Appraisal Commissioners to be the lot of
land owned by him, being Tract No. 368, situate near the Swift
Run Church along the Spottswood Trail, and opposite L. C.
Meadows' Store, but as said lot as shown and delineated on
the map filed with the report and exhibit sheets thereto
attached, made by said Commissioners does not give the boundary
lines of said land, nor the square feet contained in said lot,
as well as the square feet contained in said lot
said boundary lines are herewith shown by a plat filed
herewith, marked "Exhibit Plat", which is asked to be read as
a part hereof. Said boundary lines were obtained by a survey
of said lot this day made by A. R. Myers, Surveyor,



SPOTTSWOOD TRAIL

"Exhibit Plat."

PLAT

OF E. C. LAM'S LOT LYING ON THE N. W. SIDE OF SPOTTSWOOD TRAIL
 SWIFT RUN VIRGINIA NOV. 8th 1932 H. R. MYERS SCALE 1" = 20'

Given under my hand this 8th day of November, 1932.

E. C. Lam.

E. V. Alf.
Counsel.

In the Circuit Court of Rockingham County, Virginia

LAW OFFICES
E. DULANEY OTT
HARRISONBURG, VA.

FIRST NATIONAL BANK BUILDING

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

vs.)

1829

Cassandra Lawson Adams and others

Re: E. C. Lane claim

(Arbitration - Statement)

No. 568

Filed 8/25/33

Sp. Dec. July
The State Commission on Conservation and Development
of the State of Virginia

Vs.

Cassandra Lawson Adkins and Others, and 52,501 acres,
more or less of land in Rockingham County,
Virginia.

No. 1829 at Law.

Re: Statement of E. C. Lam, Owner.
(Arbitration)

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

AUG 25 1933

Robert Switzer Clerk

I, E. C. Lam, am the sole owner in fee simple of the lot of land shown on the county ownership map filed in the condemnation proceedings as No. 368, which contains 3815 square feet, the value of which lot is \$1000.00, and the value of the improvements thereon, not including three gasoline pumps and three gasoline tanks (underground) and gasoline pipe (underground) is \$2000.00, the value of one gasoline pump and one gasoline tank (underground) which are the property of E. C. and E. E. Lam is \$200.00; the value of another gasoline tank (underground) and 140 feet of gasoline pipe (underground) the property of E. C. Lam is \$120.00. No estimate is placed upon two gasoline pumps on the lot and one gasoline tank (underground) and 40 feet of gasoline pipe (underground) which belong to Maphis & Chapman, and which should be returned to them if the property is taken in these proceedings; the aggregate value of the lot of land, the improvements (buildings thereon), one gasoline pump and two gasoline tanks (underground) and 140 feet of gasoline pipe (underground) is \$3320.00. Said lot of land is located on the Spotswood Trail, situate where you begin the ascent of the Blue Ridge Mountain, and is improved by a filling station practically fire proof, the filling station consists of a storeroom 14 feet x 20 feet constructed of sandstone with good metal roof. The storeroom uses the wall of the garage or automobile repair shop belonging to E.C. and E.E.Lam as its rear wall; attached to and running out from this storeroom is

a roof over gas pumps 17 feet x 20 feet covering a double driveway. This roof is supported by two stone columns 25 inches x 25 inches x 11 feet, resting on a concrete base 23 feet x 3½ feet, and is of galvanized metal. The roof has a gable constructed out of galvanized metal 20 feet x 8 feet in center. The storeroom has a concrete floor, 4 windows with two glass panes in each window 30 inches x 30 inches, reinforced by railroad railing overhead, two front windows with plate glass, each being 59 inches x 72 inches in dimension, reinforced by railroad railing overhead, one door with glass therein 28 inches x 36 inches reinforced by railroad railing overhead; on each side of the front door is one pilaster constructed of sandstone; there are five small windows above the plate glass windows having three panes each 10 inches x 21 inches in dimension; the roof over the filling station is sealed with No. 1 pine lumber; there are thirty-four electric lights in and about the filling station, including one blinker in the pump, and the bulbs on said lights are of three different colors.

There is no competitor ~~nearer~~ than four miles. The situation of said property makes it extremely valuable as a business site.

I respectfully ask the Arbitrators for the opportunity to be heard orally with witnesses for the purpose of substantiating the reasonableness of my claim.

E. C. Lam

Owner.

Virginia
City of Harrisonburg to-wit:

This day personally appeared before the undersigned, a Notary Public in and for the City aforesaid in the State of Virginia, E. C. Lam, who made oath that the facts set out in the foregoing statement are true to the best of his knowledge and belief.

Given under my hand ~~notary public~~ this 24th day of August 19 33.

Teresa Sullivan
Notary Public.

My commission expires on the 20th day of March, 19 35.

STATEMENT OF

E. C. LAM

(ARBITRATION)

LAW OFFICES
E. DULANEY OTT
HARRISONBURG, VA.
FIRST NATIONAL BANK BUILDING

LAM, E. C.
368
ROCKINGHAM COUNTY

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

SEP 9 1933

Robert S. ... Clerk

IN RE. ARBITRATION AGREEMENTS submitted to the Governor arising in or out of Condemnation Proceedings pending in the Circuit Court of Virginia under authority of the Shenandoah National park Act.

SUMMARY STATEMENT OF PETITIONER:

EXCEPTANT: Lam, E. C.

ORIGINAL CLAIM: Acreage.12 : Value \$3,000.00 : Inc.Damages, None

VALUE PLACED ON TRACT BY PETITIONER'S APPRAISERS:

<u>TRACT NO.</u>	<u>VALUE</u>	<u>INCIDENTAL DAMAGES</u>
368	\$1,200.00	None

BOARD OF APPRAISAL COMMISSIONERS FINDINGS:

MAP NUMBER OF TRACT: 368

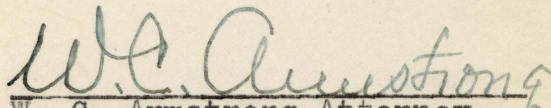
VALUE OF TRACT:

<u>TRACT NO.</u>	<u>VALUE</u>	<u>INCIDENTAL DAMAGES</u>
368	\$1,300.00	None

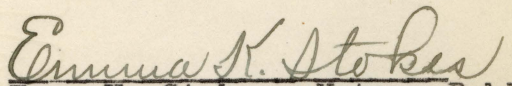
The basic differences between Petitioner and this exceptant are as to the classification and value of the land, and improvements and buildings.

Although we believe the values reported by the Petitioner's appraisers were very liberal and that the findings of the Board of Appraisal Commissioners as to values are substantially too high, we have accepted and will not seek a lower valuation than their findings as shown on the above tables in this case.

As to the classification of the land and the other elements of value we submit that these matters are correctly set forth in the Work Sheet of the Board with reference to this case, and not as set forth in exceptant's statements. This Work Sheet is filed with the record and a copy of this Work Sheet is submitted with copy of the record tendered herewith, and additional copies of the Work Sheet in this case will be furnished if desired.


W. C. Armstrong, Attorney
for Petitioner

Subscribed to and verified before me this the 8th day of September, 1933.


Emma K. Stokes, Notary Public

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

Vs.

Cassandra Lawson Adkins and Others, and 52,501 acres,
more or less of land in Rockingham County, Virginia,

No. 1829 at Law.

On motion of E. C. Lam, by counsel,
leave is given him to file his answer to the
petition of the State Commission on Conservation
and Development of the State of Virginia, and
the said answer is accordingly this day filed in
the above styled proceedings.

ECL
10/10/33

19
575
8/21/33

Claim of E. C. Lane
In the Circuit Court of Rockingham County, Virginia, No. 1829, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner,
vs. Cassandra Atkins and others and
12, 501 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 E. C. Lane

My post office address is 1430 W. Street N.W. Apt 20,
Washington D.C.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 2.880 acres, on which there are the following buildings and improvements: an automobile garage or repair shop and a blacksmith shop

This land is located about 4 1/2 miles from Septon Virginia, in the Stonewall Magisterial District of the 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.)

I have an undivided one-half interest in the property described above.
E. C. Lane owns the other undivided one-half interest.

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

- North E. C. Meadows
- South Lizzie Williams
- East E. C. Lane
- West United Brethren Church Property

I acquired my right, title, or estate or interest to this property about the year 1924 in the following manner:

By deed from E. C. Lane & wife

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 3000. 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 \$ 1500.

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 land 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: See plat of land filed by the undersigned for description of lot of land by metes and bounds.

(Continue remarks if necessary on the back.)

Witness my signature (or my name and mark attached hereto) this 16th day of August, 1933.

STATE OF VIRGINIA, COUNTY OF Warren, To-wit: E. C. Lane

The undersigned hereby certifies that E. C. Lane 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 my knowledge and belief, this 16th day of August, 1933.

Lucy R. Durr Notary Public
Clerk of the Court, or Special Investigator, or Notary Public, or Justice of the Peace.

My Commission expires
March 21, 1935

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT
OF THE STATE OF VIRGINIA

Vs.

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

This is to certify that E. C. Lam who has
filed exceptions to the report of the Board of Appraisal
Commissioners appointed in the above styled proceedings
within the time prescribed by law, has agreed to submit
any and all questions arising in the course of said
proceedings as to damages and values of land and
improvements sought to be condemned therein, belonging
to him to arbitration/accordance ⁱⁿ with the arbitration
agreement proposed by the Governor on July 18, 1933,
this applying to tract of land/^{and improvements} belonging to the
undersigned, designated as No. 368 on the County
ownership map filed in the above styled proceedings.

Given under my hand this 1st day of November,
1933.

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

NOV 6 1933

J. Robert Luntz Clerk

E. C. Lam

Treasurer of Virginia, who shall pay unto E. D. Ott, Attorney for said E. C. Lam the said sum of \$1710.60, the amount of said award set out in said judgment of condemnation for said lot of land with the improvements thereon above designated, taking from said E. D. Ott, Attorney for said E. C. Lam, a receipt therefor, and certifying such payment to the Clerk of this Court for appropriate entry thereof, as required by law.

Enter

HWP

20
188
5/23/34

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

State Commission on Conservation and
Development of the State of Virginia

Petitioner

vs.

Cassandra Lawson Atkins, et als. etc.

Defendants.

To the Honorable H.W. Bertram
Judge of the Circuit Court of Rockingham County, Virginia

Your petitioner, E. C. Lam, respectfully represents:

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 that certain lot of land with the improvements thereon, numbered as follows, Tract No. 368, 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 set out in the said judgment as constituting the award therefor as follows; award for tract No. 368, \$1710.60; that the said State Commission on Conservation and Development has paid into the custody of the Court the said sum set out in said judgment as constituting the award for the fee simple estate in said lot of land with the improvements thereon; that the undersigned petitioners on the date of the said judgment in rem condemning the said lot of land with the improvements thereon were the owners of the said land in fee simple; that no other person or persons than the undersigned are entitled to share in the distribution of said award.

Your petitioner further shows 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, Virginia, and J. Robert Switzer, Clerk of the Circuit Court

of Rockingham County, Virginia, which certificates are prayed to be read as a part hereof, said certificates are marked "Exhibit Certificate No. 1", and "Exhibit Certificate No. 2".

Wherefore your petitioner prays that he may be made a party herein and be allowed to file his petition in this proceeding, and that an order may be entered in this proceeding for the distribution of said sum set forth in said judgment in rem as constituting the award for the fee simple estate in said lot of land with the improvements thereon condemned as aforesaid, and for the payment to the undersigned or his attorney of record /of the said award; and that your petitioner may have such other, further and general relief as the nature of the case may require.

E. C. Lam

State of Virginia
City of Harrisonburg, to-wit:

This day E. C. Lam personally appeared before me, Teresa Sullivan, a Notary Public in and for the City of Harrisonburg in the State of Virginia, in my City aforesaid, and being duly sworn, deposes and says: that I have read the above petition, and state that the matters of fact contained therein are true to the best of my knowledge and belief.

Given under my hand this 12th day of May, 1934.

E. C. Lam

Subscribed and sworn to before me
in my City aforesaid this 12th
day of May, 1934.

Teresa Sullivan
Notary Public.

M. H. HARRISON

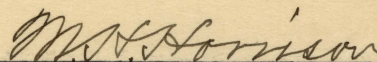
TREASURER OF ROCKINGHAM COUNTY

HARRISONBURG, VIRGINIA May 2nd, 1934

To Whom It May Concern:-

I hereby certify that the records of my office show that Elmer C. Lam has paid the taxes for the year 1933 on his 36 poles of land, situated in Stonewall District, County of Rockingham.

Given under my hand this 2nd day of May,
1934.



Treasurer of Rockingham County.

"Exhibit Certificate No. 1"

STATE OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

I, J. Robert Switzer, 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 0-0-36 of land situate in Stonewall District, Rockingham County, assessed in the name of Elmer C. Lam.

Given under my hand this 22d day of May, 1934.

J. Robert Switzer

Clerk of the Circuit Court of Rockingham County, Virginia.

E. J. [Signature]

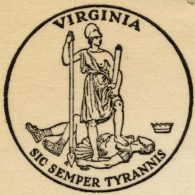
Attorney.

, O. K.

"Exhibi' certificate no 2"

LAW OFFICES
E. DULANEY OTT
HARRISONBURG, VA.

FIRST NATIONAL BANK BUILDING



Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL
TREASURER OF VIRGINIA

May 25, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 25 day of May in accordance with an order of the circuit court of Rockingham County dated 5/23/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to E. D. Ott, Attorney for said E. C. Lam First National Bank Building, Harrisonburg, Virginia \$1,710.60 being in full settlement of tract # 368 in the above mentioned cause.

J. M. Purcell
Treasurer of Virginia.

Rog. W. G. Young
DEPUTY TREASURER OF VIRGINIA



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

May 25, 1934

E. D. Ott, Attorney for said E. C. Lam

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 1,710.60, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 23rd day of May 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 # 368.

E. D. Ott
Attorney for E. C. Lam

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