

UNITED STATES OF AMERICA
WESTERN DISTRICT OF SOUTH CAROLINA,
IN THE DISTRICT COURT
GREENVILLE DIVISION

United States District
Court, West Dist. of So. Car.
Sept. 14, 1943
Filed
_____ A.M. _____ P.M.
W. D. White, Clerk.

UNITED STATES OF AMERICA,)
Petitioner,

vs.

30.71 acres of land, more or less,)
situate in Greenville County,)
South Carolina, and J. K. Earle,)
et al.,)

Defendants,

J U D G M E N T

Civil Action No. 337
Tract No. 28
(Henry Washington)

This day comes the petitioner in the above-entitled cause, the United States of America, by O. H. Doyle, United States Attorney, and moves the Court to enter a judgment with respect to the tract of land hereinafter described and embraced within the above-entitled proceeding, decreeing the fee simple absolute title thereto to have become vested in the United States of America upon the filing herein of the Declaration of Taking No. 1 and the Amendments thereof and the deposit made therewith, adjudging just compensation for said tract of land as hereinafter set forth, and ordering a disbursement of the deposit made, as hereinafter recited, and

It having been made to appear to the satisfaction of this Court,

(1) That a Petition in Condemnation was duly filed in the above-entitled cause on June 11, 1942, by the United States of America, acquiring possession of the lands therein described, and subsequent thereto, on the 5th day of September, 1942, an Amended Petition in Condemnation and Declaration of Taking No. 1 by the Secretary of War of the United States of America were duly filed by the Petitioner herein against certain tracts of land embracing the tract hereinafter described; that there was deposited into the Registry of this Court, simultaneously with the filing of the said Declaration of Taking No. 1, a sum of money as the estimated compensation for each of the said tracts of land covered thereby; that thereafter, on February 17, 1943, an Amendment of said Declaration of Taking was duly filed herein, containing a more accurate description of said tracts of land and reflecting the allocation of an additional deposit for each of the individual tracts therein identified, included among which was the tract hereinafter more particularly described, which was identified in said Amendment as Tract No. 28, containing .59 acres, of which Henry Washington was listed as the purported owner, and for which the total sum of Four Hundred Fifty Dollars (\$450.00) was deposited and allocated as the estimated award; that a Judgment of this Court on the Declaration of Taking No. 1 was duly entered on September 7, 1942, decreeing the fee simple absolute title to the lands therein described to have become vested in the United States of America upon the filing of the said Declaration of Taking No. 1 and the making of the said deposit, as above stated, and that the right to just compensation vested in the persons entitled thereto and that, on February 17, 1943, a Judgment of this Court was duly entered on the Amendment of the Declaration of Taking No. 1 confirming the vestment of title under the original Declaration of Taking No. 1; that subsequently, on September 1, 1943, an Amendment to Amended Declaration of Taking No. 1 was filed and Judgment thereon was duly filed on September 3, 1943;

(2) That the following is a correct description of the tract of land which is made the subject of this judgment:

All that tract or parcel of land lying in Gantt Township, Greenville County, South Carolina, being a strip of land 70 feet wide between parallel lines 35 feet on each side of the following described center line;

Beginning at a point in the northwesterly line of Henry Washington tract south 46 degrees 15 minutes west 492 feet from a point in the center line of Whitehorse Road, a corner common to Henry Washington tract and Rudolph and Allister Brockman tract, said point of beginning being at Station 93 / 65.5 on the arc of a 1 degree curve to the right a distance of 65.5 feet southeasterly from the point of curvature from a tangent bearing south 57 degrees 06 minutes east; thence southeasterly along said curve 369 feet to a point south 45 degrees 15 minutes west 494.9 feet from a point in the center line of Whitehorse Road, a common corner of Henry Washington tract and G. H. Hunt tract, and containing .59 of an acre, more or less.

(3) That according to a search of the records of Greenville County, as shown by the Certificate of Title of the Lawyers Title Insurance Corporation submitted to petitioner, Henry Washington was, at the time of the filing of the Declaration of Taking No. 1 and the Amendments thereof, the owner of the fee simple interest in the tract of land described