

**History on Entry Mountain**  
*By Malcolm Higgins*  
**[Feb./Mar. 1982 Newsletter]**

[Below is a detailed newsletter article about the 15 acres of land in Nelson County, Virginia that TATC purchased the first week of January, 1979, with money given to the club by Mrs. Putman. Cabin committee member (and unofficial club lawyer) Malcolm Higgins did the research and wrote the article, laying out some of the history and previous owners of the property, as well as some of the restrictions that were placed upon the land by our club]

Title to the approximately 15 acre tract of land in Nelson County, Virginia owned by TATC can be traced back to before the turn of the century. The title search reveals that families with roots deep in the history of the area once owned this property.

Soon after TATC entered into its agreement of September 1, 1978 with Mrs. Phyllis Putman to accept a gift of \$15,000 to establish a memorial cabin honoring her son, Douglas Lee Putman, TATC members Jacqueline Jenkins and Malcolm Higgins researched the tract the Club wanted to buy. On a hot and humid September 8, 1978, they went to the Nelson County Circuit Court Clerk's Office in Lovingston, Virginia, and searched the title back to 1893. On January 3, 1979, TATC acquired title to the land.

The chain of title to the land reveals:

Deed dated July 11, 1893, recorded in Deed from Henry Loving, to Wesley R. Coffey. The land was described as 'certain mountain land' beginning at a chestnut on **Entry Mountain** and containing 50 acres (Now we know the name of the mountain).

Deed dated August 6, 1932, from Mary Etter Coffey, widow, and Ivetta Howdyshell, Verbelia Coffey and Maggie Coffey, children to Mary J. Fitzgerald, daughter of W.R. Coffey. The track 'known as a portion of the Loving tract' and supposed to contain 15 acres.

COMMENT: As often happened in earlier times, it appears that Mary J. Fitzgerald had not recorded her December 28, 1912 deed in the Clerk's Office of the Nelson County Circuit Court, but had kept it in her home, which "was burnt." The title search could not locate the December 28, 1912 deed for the 15 acres in the Deed Books. It is very plausible that W.R. Coffey did give a deed on that date for the 15 acres, however. Two other deeds, both dated December 28, 1912 were located in the deed books. The first was from W.R. Coffey and Mary Etter Coffey, his wife, to W.H. Coffey, which conveyed 4 acres. The second was from W.R. Coffey to Mary Etter Coffey and her heirs, which conveyed 31 acres.

It seems clear that the original 50 acre tract bought by W.R. Coffey (Wesley R. Coffey) in 1893 from Henry Loving was subsequently split up by W.R. Coffey into the 15 acre, 4 acre, and 31 acre tracts referred to in the above deeds.

This August 6, 1932 deed contains references to certain physical boundaries of the TATC tract that are yet prominent, such as "the headwaters of White Rock Creek," "cliff of rocks," "ledge of rocks," and refers to an "outlet to road." Because the Blue Ridge Parkway was not established by Congress until 1936, it is not known whether the road referred to is a predecessor of the Parkway.

Deed dated August 6, 1932, recorded from Mary J. Fitzgerald and J.C. Fitzgerald, her husband, to Rosanna Fitzgerald. This deed contains the same metes and bounds description of the tract, "lying on the headwaters of White Rock Creek and containing 15 acres more or less." The boundaries are described by "calls" to chestnut, gum, water oak and maple trees, a ledge of rocks at the head of new ground at a mountain field, an ironwood tree, a chestnut tree, and back to a fork of a branch of the creek to the place of beginning with an outlet to the road.

COMMENT: Rosanna Fitzgerald was the daughter of Mary J. Fitzgerald and J.C. Fitzgerald, according to Saylor Coffey of Love, Virginia. Mr. Coffey was interviewed on September 8, 1978 by Jackie Jenkins and Mal Higgins

Deed dated August 31, 1959 recorded from Rosanna Fitzgerald Landes, widow, to Dellie A. Fitzgerald and Stella R. Fitzgerald, husband and wife.

Deed dated January 26, 1974, recorded from Dellie A. Fitzgerald, widower, to Patricia Fisher Price. Attached to it a sketch made on February 2, 1974, by an unknown draftsman. The sketch of the land, although not to scale, is the first and only map yet of the TATC tract. The U.S. Forest Service owns the land surrounding the TATC tract on all sides and has several surveys. One USFS survey in 19235 of USFS tract N531 refers to the tract to the east as the "Marietta Coffey Tract." Another USFS survey in 1978 of USFS tract 1608 refers to the tract to west as the Charles W. Robinson tract. The spelling of "Marietta" appears to be a more literate spelling of the name of "Mary Etter Coffey," who also owned the 15 acre tract that TATC now owns.

Deed dated January 3, 1978 (should have been 1979; subsequently corrected by correction deed), recorded in Deed Book 169, page 8, from Patricia Fisher Price and Cleveland M. Price, Jr., her husband, to Phyllis P. Putman.

Deed dated January 3, 1979, recorded in Deed Book 169, page 10, from Phyllis P. Putman, single, to Tidewater Appalachian Trail Club, a Virginia non-tock corporation.

COMMENT: the deed in number 7 above contains restrictions on the use of the land that were mutually agreed to by Mrs. Phyllis P. Putman and TATC. These restrictions and covenants run with the land and **permanently** affect the use of the land. They are:

The primary dwelling structure shall have affixed a plaque memorializing Douglas Lee Putman.

The land shall be preserved in its natural state insofar as possible consistent with the use of simple dwelling structure or structures and access thereto.

The land shall never be used for motorized recreational use, commercial use, or industrial use.

Timber taken from the land may never be sold or harvested for the primary purpose of deriving profit from the land, unless such harvesting is consistent with sound forestry practice.

The land shall never be used for agricultural purposes or for raising livestock or poultry where the primary purpose of the activity is to derive profit.