

ORDINANCE NO. ORD-2018-27

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND CONSERVATION RESERVE
ENHANCEMENT PROGRAM (CREP)**

(Re: Horst CREP Easement)

RECITALS

1. The Maryland Conservation Reserve Enhancement Program ("CREP") is a federal-State natural resources conservation program that addresses state and nationally significant agricultural related environmental concerns related to agriculture.

2. CREP provides financial incentives to program participants to voluntarily remove cropland and marginal pastureland from agricultural production in order to improve, protect, and enhance water quality in the Chesapeake Bay watershed and replacing it with the best management practices including establishment of riparian buffers, grass plantings, forbs, shrubs and trees, stabilization of highly erodible soils, habitat restoration for plant and animal species, and restoration of wetlands.

3. Protection is provided through the acquisition of easements and fee estates from willing landowners currently holding a fifteen (15) year CREP contract and the supporting activities of CREP Sponsors and local governments.

4. For FY2018, the State of Maryland ("State") is awarding CREP grants to eligible Counties (the "CREP Funds").


5. Keith A. Horst and M. Rosanne Horst and John A. Horst and Linda F. Horst, (collectively, the "Property Owner") are the owners of real property consisting of 20.49 acres, more or less, (the "Property") in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.

6. The County has agreed to pay the approximate sum of SIXTY-EIGHT THOUSAND NINE HUNDRED SIXTY-SIX DOLLARS AND EIGHTY-EIGHT CENTS (\$68 966.88), which is a portion of the CREP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the "Horst CREP Easement").

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the purchase of the Horst CREP Easement is approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the purchase of the Horst CREP Easement.

ADOPTED this 25th day of September, 2018.

ATTEST:




Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 

Terry L. Baker, President

Approved as to legal sufficiency:



John M. Martirano
County Attorney

Mail to:
Office of the County Attorney
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740

EXHIBIT A--DESCRIPTION OF EASEMENT AREA

All those tracts, lots, or parcels of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 4, Washington County, Maryland, being part of the property identified by the State Department of Assessments and Taxation as tax account no. 04-003284 and being identified as:

CREP CONTRACT EASEMENT AREA 2.74 AC.
CREP CONTRACT EASEMENT AREA 0.26 AC.
CREP CONTRACT EASEMENT AREA 0.35 AC.
CREP CONTRACT EASEMENT AREA 11.60 AC.
CREP MATCH EASEMENT AREA 3.91 AC.
CREP MATCH EASEMENT AREA 1.63 AC.

on a plat prepared by Frederick Seibert & Associates, Inc. entitled "SURVEY OF CREP EASEMENT FOR KEITH & ROSANNE HORST," dated August 30, 2018, and recorded on September 14, 2018 as Misc. Plat Nos. 750 and 751 among the Plat Records of Washington County, Maryland.

Being part of the property which was conveyed from Joseph W. Gehr to John A. Horst and Linda F. Horst, husband and wife, by Deed dated May 1, 2006 and recorded in Liber 2991, folio 168 among the Land Records of Washington County, Maryland; AND BEING part of the property which was conveyed from John A. Horst and Linda F. Horst, husband and wife, to Keith A. Horst, M. Rosanne Horst, John A. Horst, and Linda F. Horst, as tenants in common, by Deed dated March 4, 2013 and recorded in Liber 4494, folio 308 among the aforesaid Land Records.