

ORDINANCE NO. ORD-2018-14

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

(Re: Miller 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. Paul F. Miller and Patricia B. Miller (collectively, the "Property Owner") are the owners of real property consisting of 55.37 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 ONE HUNDRED NINETY-ONE THOUSAND, TWO HUNDRED SIXTY-NINE DOLLARS AND EIGHTY-FOUR CENTS (\$191,269.84), which is a portion of the CREP, to the Property Owner for a Deed of Conservation Easement on the Property (the "Miller CREP Easement").

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the purchase of the Miller 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 Miller CREP Easement.

ADOPTED this 5th day of June, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Vicki C. Lumm
Vicki C. Lumm, Clerk

BY: Terry L. Baker
Terry L. Baker, President

Approved as to legal sufficiency:

John M. Martirano
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. 12, Washington County, Maryland, being part of the property identified by the State Department of Assessments and Taxation as tax account no. 12-004370 and being identified as:

CREP CONTRACT EASEMENT AREA 1 – 5.42 AC. ±
CREP CONTRACT EASEMENT AREA 2 – 1.73 AC. ±
CREP MATCH EASEMENT AREA 1 – 30.36 AC. ±
CREP MATCH EASEMENT AREA 2 – 0.19 AC. ±
ADDITIONAL EASEMENT AREA 1 – 16.52 AC. ±
ADDITIONAL EASEMENT AREA 2 – 1.15 AC. ±

on a plat prepared by Triad Engineering, Inc. entitled "CREP EASEMENT PLAT UPON THE LANDS OF PAUL F. MILLER AND PATRICIA B. MILLER," dated March 28, 2018, and recorded on April 24, 2018 as Misc. Plat No. 732-733 among the Plat Records of Washington County, Maryland.

Being part of the same property which was conveyed from Michele Dolores Brown, Trustee of the Michele Dolores Brown Revocable Trust, dated August 20, 1991, to Paul F. Miller and Patricia B. Miller, husband and wife, by Deed dated April 9, 2004 and recorded in Liber 2332, Folio 736 among the Land Records of Washington County, Maryland.