

ORDINANCE NO. ORD-2018-19

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

*(Re: Hopkins Family Trust 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").

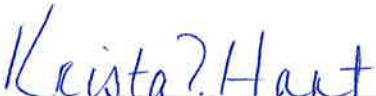
5. John H. Hopkins, Wilmarie F. Hopkins, and/or John H. Hopkins, Jr., Trustees of the Hopkins Family Revocable Trust, or Successor Trustees (collectively, the "Property Owner") are the owners of real property consisting of 212.26 acres, more or less, (the "Land") in Washington County, Maryland.

6. The County has agreed to pay the approximate sum of SEVEN HUNDRED FIVE THOUSAND, EIGHT HUNDRED SIXTY-ONE DOLLARS AND TEN CENTS (\$705,861.10), which is a portion of the CREP Funds, to the Property Owner for a Deed of Conservation Easement (the "Hopkins Family Trust CREP Easement") on 206.61 acres, more or less, (the "Easement Property"). The Easement Property is more particularly described on Exhibit A attached hereto.

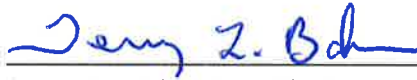
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the purchase of the Hopkins Family Trust CREP Easement is approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively,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

ADOPTED this 14<sup>th</sup> day of August, 2018.

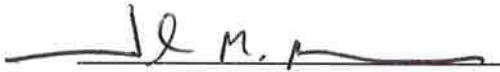
ATTEST:

  
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 PROPERTY

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. 15, Washington County, Maryland, being part of the properties identified by the State Department of Assessments and Taxation as tax account nos. 15-002549 and 15-002557 and being identified as:

CREP CONTRACT EASEMENT AREA 1 – 6.84 AC. ±  
CREP CONTRACT EASEMENT AREA 2 – 13.17 AC. ±  
CREP MATCH EASEMENT AREA 1 – 15.25 AC. ±  
CREP MATCH EASEMENT AREA 2 – 5.08 AC. ±  
CREP MATCH EASEMENT AREA 3 – 129.68 AC ±  
CREP MATCH EASEMENT AREA 4 – 24.19 AC ±  
CREP MATCH EASEMENT AREA 5 – 1.52 AC ±  
ADDITIONAL EASEMENT AREA 1 – 6.07 AC. ±  
ADDITIONAL EASEMENT AREA 2 – 1.78 AC. ±  
ADDITIONAL EASEMENT AREA 3 – 3.03 AC ±

on a plat prepared by Triad Engineering, Inc. entitled "CREP EASEMENT PLAT UPON THE LANDS OF WILMARIE F. HOPKINS AND JOHN H. HOPKINS, TRUSTEES OF THE HOPKINS FAMILY REVOCALBE [sic] TRUST," dated 04/09/2018, and recorded on May 17, 2018 as Misc. Plat No. 735-737 among the Plat Records of Washington County, Maryland.

Being part of the same property described in the Deeds dated and recorded among the Land Records of Washington County, Maryland, as follows: [1] Deed from Wilmarie Fleigh Hopkins, also known as Milmarie E. Hopkins, by John Henry Hopkins, Jr., her attorney-in-fact, to Wilmarie F. Hopkins and John H. Hopkins, Jr., Trustees of the Hopkins Family Revocable Trust dated October 30, 2001 and recorded in Liber 2587, Folio 250; and [2] Deed from John Henry Hopkins and Wilmarie F. Hopkins, his wife, to John Henry Hopkins and Wilmarie F. Hopkins, Trustees of the Hopkins Family Revocable Trust dated October 30, 2001 and recorded in Liber 1754, Folio 217.