

ORDINANCE NO. ORD-2016-26

AN ORDINANCE TO APPROVE AN AGRICULTURAL LAND PRESERVATION
EASEMENT
THROUGH AN INSTALLMENT PURCHASE PROGRAM (IPP)

(Re: Salgado IPP Easement)

RECITALS

1. The Board of County Commissioners of Washington County, Maryland (the "County") currently has an active Agricultural Land Preservation Program.

2. By Ordinance No. ORD-2016-14 (the "Ordinance") adopted by the County on July 12, 2016, the Board established a local program for the preservation of agricultural land and purchase of agricultural land preservation easements through an Installment Purchase Program and to preserve productive agricultural land and woodland which provides for the continued production of food and fiber for the citizens of Washington County and protects farmland/open space from the impacts from development (the "IPP Easement").

3. Marie Ernestine Salgado (the "Property Owner") is the owner of real property consisting of 162.78 acres, more or less, (the "Property") in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.

4. The County has agreed to pay the sum of FIVE HUNDRED FORTY-THREE THOUSAND TWO HUNDRED EIGHTY-SEVEN DOLLARS AND EIGHT-SEVEN CENTS (\$543,287.87), payable in installment payments extending over ten (10) years and interest accruing on the outstanding value of the easement at a rate of two percent (2%), for a total sum of FIVE HUNDRED NINETY-TWO THOUSAND ONE HUNDRED EIGHTY-THREE DOLLARS AND EIGHTY-ONE CENTS (\$592,183.81), to the Property Owner for an agricultural land preservation easement on the Property (the "Salgado IPP Easement").


NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of the Salgado IPP 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 Salgado IPP Easement.

ADOPTED this 1st day of November, 2016.

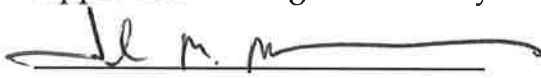
ATTEST:


Vicki C. Lumm, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY:  (SEAL)
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, Room 202
Hagerstown, MD 21740

EXHIBIT A

Description of Easement Property

All that tract of farm land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate generally along the East side of Route No. 57, Election District No. 23, Washington County, Maryland, being more particularly described as follows:

BEGINNING at a stone standing at the end of the 41st line of a tract of land called "White Hall," it being also the end of the tenth line of a Deed from John S. Cushwa and Wife to David Brewer for one hundred twenty-one acres and sixteen perches of land, and running thence South 43 $\frac{1}{2}$ degrees West 27 perches to the middle of the public road leading from St. Paul Church to Mercersburg; then with said road the three following courses and distances: North 33 $\frac{1}{2}$ degrees West 62 $\frac{3}{4}$ perches; North 24 $\frac{1}{4}$ degrees East 136 $\frac{2}{10}$ perches; North private road leading to Kreigh's Saw Mill, and running thence in the middle of said private road South 25 $\frac{3}{4}$ degrees East 185 $\frac{5}{100}$ perches to a line of Kreigh's land; thence with said land South 83 $\frac{1}{2}$ degrees West 38 $\frac{1}{4}$ perches; South $\frac{3}{4}$ of a degree West 10 perches; South 67 $\frac{3}{4}$ degrees West 127 $\frac{5}{10}$ perches to the point of beginning; containing one hundred sixty-one and one-half (161 $\frac{1}{2}$) acres and eighteen (18) perches acres of land, more or less;

SAVING AND EXCEPTING THEREFROM those parcels of land described in a Deed of Conservation Easement from Marie Ernestine Salgado, surviving joint tenant, to the Board of County Commissioners of Washington County, Maryland, and the State of Maryland to the Use of the Department of Natural Resources, dated November 20, 2012 and recorded in Liber 4413, Folio 279 among the aforesaid Land Records.

BEING part of the same property which was conveyed from Alta Marie Salgado to Alta Marie Salgado and Marie Ernestine Salgado, as joint tenants with the right of survivorship, by Deed dated August 15, 1990 and recorded in Liber 973, folio 664 among the Land Records of Washington County, Maryland; Alta Marie Salgado died on December 16, 1990; title thereafter vested in Marie Ernestine Salgado as surviving joint tenant.