

ORDINANCE NO. ORD-2019- 05

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM
(Re: *Long RLP Easement*)**

RECITALS

1. The Maryland Rural Legacy Program (“RLP”) provides the funding necessary to protect large, contiguous tracts of land and other strategic areas from sprawl development and to enhance natural resource, agricultural, forestry and environmental protection through cooperative efforts among State and local governments.

2. Protection is provided through the acquisition of easements and fee estates from willing landowners and the supporting activities of Rural Legacy Sponsors and local, State, and federal governments.

3. For FY 2019, Washington County (the "County") was awarded a RLP grant totaling \$2,301,545.00 (the "RLP Funds").

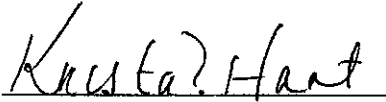
4. Darren Thomas Long and Amy Perkins Long (formerly known as Amy Christine Perkins) (collectively, the “Property Owner”) is the fee simple owner of real property consisting of 32.374 acres, more or less, (the “Property”) in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.

5. The County has agreed to pay the sum of approximately Eighty-Four Thousand Dollars (\$84,000.00), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the “Long RLP Easement”).

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of a conservation easement on the Property be 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 Long RLP Easement.


ADOPTED this 4th day of June, 2019.

ATTEST:

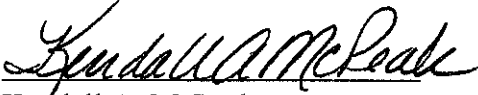


Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
Jeffrey A. Cline, President

Approved as to legal sufficiency:



Kendall A. McPeak

Deputy County Attorney

Mail to:

Office of the County Attorney
100 W. Washington St., Suite 1101
Hagerstown, MD 21740

EXHIBIT A
DESCRIPTION OF EASEMENT PROPERTY

All that piece or parcel of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate on the West side of Mills Road, in Election District No. 1, Washington County, Maryland, and being more particularly described in accordance with a survey made by Christina Land Surveys, LLC, as follows:

BEGINNING for the same at a mag-nail set near the middle of Mills Road, said mag-nail being at the Easterlymost corner of Lot 10R as shown on a Plat entitled "Replat of Lot 10R-Paul Mull Subdivision" recorded at Plat Folio 3850 among the Plat Records of Washington County, Maryland, thence leaving said road and running with and binding on the Northerlymost line of said Plat and to continue past the following course and distance: North 75 degrees 21 minutes 18 seconds West 1460.86 feet passing over a rebar found at 1.36 feet from the end hereof to a rebar and cap marked "Christina" set on the Easterlymost line of Line 3 on a plat entitled "Preliminary/Final Plat of William J. Hancock, et ux" recorded at Plat Folio 3188 among the aforesaid Plat Records; thence running with and binding on the said line in part and reversely and to continue on the Easterlymost line of Lot 2 reversely of said Plat and to leave said Plat and to continue on the Easterlymost line of Lot 1 reversely of the lands conveyed to David A. Ritenour and Lisa K. Ritenour by a Deed recorded in Liber 2359, Folio 607 among the Land Records of Washington County, Maryland, to the Northeasterlymost corner of said Lot 1, the following course and distance: North 02 degrees 49 minutes 31 seconds West 693.67 feet to a rebar and cap marked "Christina" set on the Southerly side of a 50-foot access easement and Plat outline as shown on the Plat entitled "Section 'A' of Sharman's Run" recorded at Plat Folio 380 among the aforesaid Plat Records; thence leaving aforesaid Lot 1 and running with and binding on said Sharman's Run Plat outline in part the following course and distance: North 87 degrees 58 minutes 08 seconds East 448.51 feet to an ancient post found at the beginning of the South 10 degrees 56 minutes West 9.4 line of Parcel No. 2 of the lands conveyed to Ruth J. Schneck by Deed recorded in Liber 1612, Folio 22 among the aforesaid Land Records; thence running with and binding on said line the following course and distance: South 12 degrees 08 minutes 56 seconds West 9.31 feet to an ancient post found; thence running with and binding on the Southerly side of said Schneck lands the following three (3) courses and distances: South 81 degrees 57 minutes 53 seconds East 428.60 feet to rebar and cap marked "Christina," set; thence South 84 degrees 13 minutes 03 seconds East 261.52 feet to an ancient post found; thence South 77 degrees 52 minutes 05 seconds East 150.12 feet to a rebar and cap marked "Christina," set; thence with the Easterly line of said Schneck lands the following course and distance: North 12 degrees 49 minutes 00 seconds East 562.55 feet to a rebar and cap marked "Christina," set about 40 feet North of the North bank of Sharman's Branch; thence leaving said Schneck lands and running with the outline being described herein the following two (2)

courses and distances: South 85 degrees 00 minutes 58 seconds East 228.26 feet to a rebar and cap marked "Christina," set about 40 feet North of the North bank of Sharman's Branch; thence crossing said branch South 66 degrees 41 minutes 03 seconds East 89.97 feet to a mag-nail set near the middle of Mills Road; thence with and near the middle of Mills Road the following five (5) courses and distances: South 13 degrees 27 minutes 01 second West 605.21 feet to a spike found; thence South 13 degrees 26 minutes 43 seconds West 253.97 feet to a spike found; thence South 06 degrees 28 minutes 30 seconds West 292.64 feet to a spike found; thence South 05 degrees 34 minutes 18 seconds West 287.64 feet to a mag-nail, set; thence South 07 degrees 22 minutes 47 seconds West 31.84 feet to the point of beginning; containing 1,421,204 square feet or 32.6264 acres, more or less;

SAVING AND EXCEPTING THEREFROM THE FOLLOWING:

- [a] that parcel of land containing 2,396 square feet or 0.0550 acres of land, more or less, and approximately 17,505 square feet or 0.4019 acres of land, more or less, conveyed from Alireza Mohadjer and Leyla Mohadjer to [the] Board of County Commissioners of Washington County, Maryland, by Deed dated September 3, 2009 and recorded in Liber 3738, Folio 339 among the aforesaid Land Records; and
- [b] that parcel of land containing 0.2524 acres, more or less, depicted as "Parcel A" on a Plat prepared by Apex Land Solutions, LLC entitled " "Exhibit (B)" Metes & Bounds Survey Parcel to be Conveyed from Long, Darren T. & Amy C. to Reinhardt, William & Ruth," dated 12/19/2018 and intended to be recorded among the Land Records of Washington County, Maryland.

THE street address of the herein described property is currently known and designated as 4040 Mills Road, Sharpsburg, Maryland.

BEING part of (the remaining lands) the property which was conveyed from Alireza Mohadjer and Leyla Mohadjer to Darren Thomas Long and Amy Christine Perkins, as tenants by the entirety, by Deed dated February 17, 2017 and recorded in Liber 5484, Folio 122 among the Land Records of Washington County, Maryland.

BASED on Assessment Records and the parcels excepted above, the herein described property contains 32.374 acres, more or less.