

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM
(Re: *Hershey 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. Todd L. Hershey is the fee simple owner of real property consisting of 21.598 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 Fifty-Two Thousand, Twenty-Eight Dollars and Thirty-Eight Cents (\$52,028.38.), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the "Hershey 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 Hershey RLP Easement.

ADOPTED this 8th day of October, 2019.

ATTEST:



Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
Jeffrey A. Cline, President

Approved as to legal sufficiency:



B. Andrew Bright
Assistant 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 those lots or parcels of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, known as "Valley Mills Property," and sometimes called the "Pry Mill Property," situate in Election District No. 19, Washington County, Maryland, about one mile Southwest of Keedysville, along the Little Antietam Creek, and being more particularly described as follows:

PARCEL NO. 1: BEGINNING at the end of 40 perches on the 52nd line reversed "The Resurvey On Fellfoot Enlarged" and running thence North 68 degrees West 74 perches to a corner; thence as a division line North 37 degrees West 14 perches and .68 of a perch to a stone; North $56\frac{3}{4}$ degrees West 8.5 perches to a stone; South $89\frac{1}{2}$ degrees West 15.66 perches to a stone; North $5\frac{1}{4}$ degrees East $25\frac{1}{2}$ perches to a stone; North $84\frac{3}{4}$ degrees East 4 perches to a stone; North $10\frac{3}{4}$ degrees East 3.2 perches; South 79 degrees East 6 perches to a stone; South $61\frac{1}{4}$ degrees East 66 perches to a stone; South $52\frac{1}{2}$ degrees East 36.2 perches to a stone; South 75 degrees East 20.72 perches to a stone; South $78\frac{3}{4}$ degrees East 21 perches to land formerly owned by George Geeting; thence South $52\frac{1}{2}$ degrees West 20 perches; thence by a straight line to the point of beginning; containing $20\frac{1}{4}$ acres, more or less; TOGETHER WITH the Right of Way reserved in the Deed recorded in I N 3, Folio 73 among the Land Records of Washington County, Maryland.

PARCEL NO. 2: BEGINNING at the end of 21.5 perches in the 5th line of Parcel No. 1 of this conveyance and running thence with the remainder of said line North $5\frac{1}{4}$ degrees East 4 perches to a stake; thence continuing in a straight line North $5\frac{1}{4}$ degrees East 0.64 perches to a stake; thence South 88 degrees West 3.9 perches, more or less, to a stake; thence along the existing stone fence and the projection thereof South $7\frac{1}{2}$ degrees West 4.6 perches, more or less, to a corner; thence along and intersecting stone fence South 80 degrees East 3.72 perches to the point of beginning; containing fifteen (15) square perches of land, more or less.

SAVING AND EXCEPTING THEREFROM those two (2) parcels of land conveyed by Frederick B. Hanson to Fonda G. Thomsen by Deed dated March 3, 1980 and recorded in Liber 698, Folio 7 among the aforesaid Land Records, to which Deed reference is made for a more particular description and identified as Parcel "B" and "D" on the Plot Plan which is attached to and made a part of said Deed; Parcel "B" containing 1,902 square feet of land, more or less, and Parcel "D" containing 4,022 square feet of land, more or less.

PLUS all the following lots or parcels of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate South of the Bakersville-Keedysville Road at a point approximately 0.5 miles Northwest from the Keedysville Bypass, Maryland Route 34, and being more particularly described as follows:

PARCEL NO. 3: BEGINNING at an iron pin on the South margin of said Road, said pin being at the end of the 5th or South 32 degrees 30 minutes East 73.69 foot line of Parcel 'A' of the Deed from Halit Corporation to Fonda G. Thomsen dated January 31, 1979 and recorded in Liber 675, Folio 818 among the aforesaid Land Records, and running thence with two lines of said Parcel South 10 degrees 45 minutes West 52.8 feet to a point; and North 84 degrees 45 minutes West 66.0 feet to an iron pin; thence leaving the lines of said Parcel and running North 52 degrees 28 minutes East 19.98 feet to a stake; thence North 36 degrees 46 minutes East 15.0 feet to a stake; thence North 23 degrees 35 minutes East 17.0 feet to a stake; thence North 15 degrees 25 minutes East 22.0 feet to a stake; thence North 57 degrees 30 minutes East 24.0 feet to into the Bakersville-Keedysville Road and intersect the 5th line of Parcel 'A' aforementioned; thence with the remainder of said line South 32 degrees 30 minutes East 33.24 feet to the point of beginning; containing 3,208 square feet of land, more or less; BEING the same property described in Parcel No. 1 of a Deed from Fonda G. Thomsen to Frederick B. Hanson dated February 23, 1980 and recorded in Liber 698, Folio 11 among the aforesaid Land Records, and as shown on a Plot Plan recorded in Liber 698, Folio 14, wherein the same parcel is designated as Parcel "A."

PARCEL NO. 4: BEGINNING at the end of 20.16 feet in the 11th or South 80 degrees 00 minutes East 61.38 foot line of Parcel 'A' of the Deed from Halit Corporation to Fonda G. Thomsen dated January 31, 1979 and recorded in Liber 675, Folio 818 among the aforesaid Land Records, and running thence with the remainder of said line South 80 degrees 00 minutes East 41.22 feet to a point; thence with part of the 12th line said Parcel South 5 degrees 15 minutes West 8.22 feet to a point; thence leaving the lines of said Parcel and running North 68 degrees 56 minutes West 42.69 feet to the point of beginning; containing 169 square feet of land, more or less; BEING the same property described in Parcel No. 2 in the above referenced Deed recorded in Liber 698, Folio 11 among the aforesaid Land Records, and as shown on the above referenced Plot Plan recorded in Liber 698, Folio 14, wherein the same parcel is designated as Parcel "C."

PARCEL NO. 5: BEGINNING at a post standing at or near the end of 89.97 feet in the 12th or South 5 degrees 15 minutes West 224.0 foot line of Parcel 'A' of the Deed from Halit Corporation to Fonda G. Thomsen dated January 31, 1979 and recorded in Liber 675, Folio 818 among the aforesaid Land Records, and running thence with the remainder of said line South 5 degrees 15 minutes West 134.03 feet into Little Antietam Creek; thence leaving the lines of said Parcel and running North 3 degrees 29 minutes East 101.83 feet to the post; and North 10 degrees 48 minutes East 32.4 feet to the point of beginning; containing 210 square feet of land, more or less; BEING the same property described in Parcel No. 3 in the above referenced Deed recorded in Liber 698, Folio 11 among the aforesaid Land Records, and as shown on the above

referenced Plot Plan recorded in Liber 698, Folio 14, wherein the same parcel is designated as Parcel "E."

PARCEL NO. 6: Situate along the Southwest side of the Bakersville-Keedysville Road at a point approximately 800 feet Eastward from the Antietam Creek in Election District No. 19, Washington County, Maryland, and being more particularly described as follows: BEGINNING at a point in or near middle of said Road, said point being at the beginning of Parcel 'B' of the Deed from Halit Corporation to Fonda G. Thomsen dated January 31, 1979 and recorded in Liber 675, Folio 818 among the aforesaid Land Records, and running thence with the lines of said parcel North 63 degrees 16 minutes 33 seconds West 1,153.01 feet to a point in said Road; thence along it South 78 degrees 52 minutes East 60.6 feet to a point; thence South 63 degrees 45 minutes East 191.4 feet to the North side of said Road; thence along or near the margin thereof South 75 degrees 48 minutes East 338.0 feet to a point; thence leaving the lines of said Deed and running South 40 degrees 45 minutes East 64.3 feet into the middle of the said Bakersville-Keedysville Road; thence along or near the middle thereof South 67 degrees 39 minutes East 253.66 feet to a point; and South 45 degrees 04 minutes East 274.74 feet to the point of beginning; containing 1.31 acres of land, more or less; SUBJECT TO the reservation of the right of Fonda G. Thomsen to cut firewood for her own use from the above described Parcel No. 6; this right shall not be transferred to any future owner or lessee of the property.

The street address of the herein described property is currently known and designated as 18947 Keedysville Road, Keedysville, Maryland.

BEING part of (the remaining lands) the property which was conveyed from Dorothy A. Badin, Personal Representative of the Estate of Frederick Banfield Hanson, to Todd Lakin Hershey by Deed dated August 19, 1987 and recorded in Liber 854, Folio 408 among the Land Records of Washington County, Maryland.