

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM
(Re: *Velisek 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 2020, Washington County (the "County") was awarded a RLP grant totaling \$1,502,982.00 (the "RLP Funds").

4. Douglas A. and Pamela S. Velisek are the fee simple owners of real property consisting of 40.99 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 One Hundred Nineteen Thousand, Nine Hundred and Seventy Dollars and No Cents (\$119,970.00), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the “Velisek 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 Velisek RLP Easement.

ADOPTED this 28th day of April, 2020.

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 that farm, tract, or parcel of land, and all the rights, ways, privileges, and appurtenances thereunto belonging on in anywise appertaining, situate along the South side of the Williamsport-Boonsboro Highway, Maryland Route no. 68, approximately 0.1 miles Northwest from its intersection with the Hagerstown-Sharpsburg Highway, in Election District No. 12, Washington County, Maryland, and being more particularly described as follows:

BEGINNING at a post in the South margin of said Williamsport-Boonsboro Highway, said post being at the beginning of the Deed from Carl T. Poffenberger and Dola V. Poffenberger, his wife, to Richard S. Brannon dated August 1, 1972, and recorded in Liber 545, folio 618 among the Land Records of Washington County, Maryland, and running thence back from said Highway with the lines of said Deed as fenced South 28 degrees 00 minutes West 500.08 feet to a post; thence South 28 degrees 45 minutes West 573.9 feet to a post; thence South 41 degrees 38 minutes West 631.84 feet to an angle point in the stone fence; thence South 46 degrees 12 minutes West 189.13 feet to a planted stone; thence North 46 degrees 33 minutes West 565.74 feet to a post; thence North 46 degrees 09 minutes West 528.29 feet to an iron pin; thence leaving the lines of said Deed and cutting across the tract North 43 degrees 38 minutes 30 seconds East 1,719.54 feet to a post at the end of the South 33 degrees 10 minutes West 159.85 foot-line of the aforementioned Deed; thence continuing with the lines thereof South 52 degrees 13 minutes East 96.7 feet to a post; thence South 52 degrees 39 minutes East 5.44 feet to an iron pin; thence leaving the lines of said Deed and running so as to exclude the parcel of land conveyed by Adam S. Mott and Josephine M. Mott, his wife, to Robert C. Poffenberger and Elizabeth A. Poffenberger, his wife, by Deed dated December 13, 1978, and recorded in Liber 673, folio 427 among the aforesaid Land Records, South 38 degrees 06 minutes West 151.11 feet to an iron pin; thence South 52 degrees 01 minute 17 seconds East 290.68 feet to an iron pin in or near the Northwest margin of a private lane; thence along it North 38 degrees 07 minutes 05 seconds East 150.04 feet to an iron pin in the Southwestern boundary of other lands of Robert C. Poffenberger and Wife; thence binding on said lands South 51 degrees 24 minutes East 5.86 feet to the South-easternmost corner of said lands; thence continuing along said lands North 37 degrees 28 minutes East 112.1 feet to a stake in the South margin of the Williamsport-Boonsboro Highway; thence along the margin thereof with the closing line of the first mentioned Deed South 44 degrees 33 minutes East 413.4 feet to the point of beginning; containing 40.99 acres of land, more or less;

SAVING AND EXCEPTING from the above the fifteen-foot right of way reserved in the Deed from Carl T. Poffenberger and Dola V. Poffenberger, his wife, to Richard S. Brannon dated August 1, 1972, and recorded in Liber 545, folio 618 among the aforesaid Land Records, as well as any and all other easements or rights applicable thereto. The above right of way or easement is intended to provide ingress and egress from said Maryland Route 68, in common with the Grantees herein, to other owning property abutting the West boundary of said easement area 112.1 feet in

length; being part of the land in and to which Jeannette B. Morrell conveyed an undivided 2/5 interest to Jeannette B. Morrell, individually, with rights of survivorship, by Deed dated December 27, 1973, and recorded in Liber 571, folio 655 among the aforesaid Land Records; the said Jeannette B. Morrell having died, whereupon title vested in the said Adam S. Mott and Josephine M. Mott, his wife, as surviving joint tenants.

THE street address of the herein described property is currently known and designated as 18125 Lappans Road, Fairplay, Maryland.

BEING all of the same property which was conveyed from Gregory C. Bannon, Personal Representative of the Estate of Susan A. Nicholson, to Douglas A. Velisek and Pamela S. Velisek, husband and wife, by Deed dated March 26, 2018, and recorded in Liber 5735, folio 418 among the Land Records of Washington County, Maryland.