

ORDINANCE NO. ORD-2023-01

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION  
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM  
(Re: *Walnut Hill Farm, LLC RLP Conservation Easement*)**

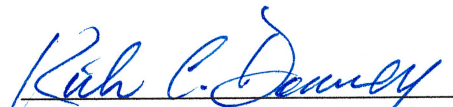
RECITALS

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 governments.
3. For FY 2023, Washington County (the "County") was awarded a RLP grant totaling \$1,550,000.00 (the "RLP Funds").
4. Walnut Hill Farm, LLC, (the "Property Owner") are the fee simple owners of real property consisting of 114.75 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 FOUR HUNDRED TWENTY THOUSAND DOLLARS AND NO CENTS (\$420,000.00), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the "Walnut Hill Farm, LLC RLP Conservation Easement").

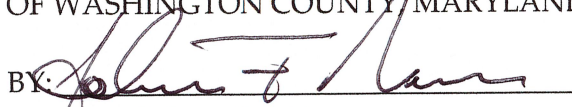
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of a conservation easement on the Property be approved and that the President of the Board and the County Attorney be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the purchase of the Walnut Hill Farm, LLC RLP Conservation Easement.

ADOPTED this 10<sup>th</sup> day of January, 2023.

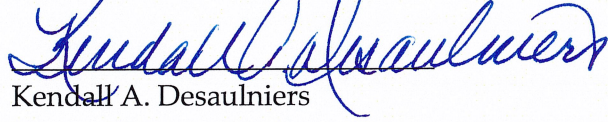
ATTEST:

  
Kirk C. Downey, County Attorney

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

BY:   
John F. Barr, President

Approved as to legal sufficiency:



Kendall A. Desaulniers  
Deputy County Attorney

Mail to:

Office of the County Attorney  
100 W. Washington Street, Suite 1101  
Hagerstown, Maryland 21740



## EXHIBIT A - DESCRIPTION OF PROPERTY

ALL that farm, tracts, or parcels of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 12, Washington County, Maryland, and being more particularly described in accordance with the description contained in the Deed recorded in Liber 2908, folio 354 among the Land Records of Washington County, Maryland, as follows:

PARCEL NO. 1: All the following described tract of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate near Breathedsville and along the East side of Routzahn Road approximate 0.1 miles Northward from its intersection with the Boonsboro-Williamsport Highway, Maryland Route 68, in Election District No. 12, Washington County, Maryland, and being more particularly described as follows:

BEGINNING at a rail spike in the center of the said Routzahn Road, said spike being in the 8<sup>th</sup> line of a Deed from Joseph P. Chaney and Wife to John M. Groh dated February 10, 1872, and recorded in Liber W Mc K K No. 4, folio 373 among the Land Records of Washington County, Maryland, and running thence along or near the center of the said Road North 0 degrees 31 minutes East 1016.14 feet to a point; thence with the 2<sup>nd</sup> line of said Deed North 27 degrees 26 minutes East 1021.26 feet to the corner of an intersecting Road leading toward Roxbury; thence along or near the center line of said Road and the projection thereof South 75 degrees 23 minutes East 2761.6 feet into the Antietam Creek; thence down said Creek in or near the center thereof South 9 degrees 46 minutes East 269.7 feet; and South 4 degrees 37 minutes West 980.0 feet; thence leaving the Creek and running North 35 degrees 16 minutes West 93.0 feet to a concrete monument; thence continuing in a straight line North 35 degrees 16 minutes West 319.5 feet to a stake; thence South 71 degrees 29 minutes West 1740.4 feet to a planted stone; thence with a portion of the 8<sup>th</sup> line of the aforementioned Deed North 79 degrees 17 minutes West 1232.13 feet to the point of beginning; containing 113.64 acres of land, more or less. The street address of said Parcel No. 1 is currently known and designated as 8423 Routzahn Road, Boonsboro, Maryland, and is further identified as tax account no. 12-003633.

PARCEL NO. 2: All that tract or parcel of land, situate along the Northeast side of the Boonsboro-Williamsport Highway, Maryland Route 68, approximately 0.22 miles Southeast from its intersection with Routzahn Road in Election District No. 12, Washington County, Maryland, and being more particularly described as follows:

BEGINNING at a stake at the end of 110.0 feet in the 3<sup>rd</sup> line of the Deed from Bertha L. Saunders, Widow, to Robert C. Mullendore dated March 10, 1956, and recorded in Liber 307, folio 506 among the aforesaid Land Records, and running thence with the remainder of said line North 79 degrees 17 minutes West 60.03 feet to the end thereof; thence with the 4<sup>th</sup> line of said Deed South 12 degrees 40 minutes West 797.47 feet to a post in the Northeast marginal line of the said Boonsboro-Williamsport Highway; thence along the marginal line thereof South 56 degrees 02 minutes East 64.40 feet to a stake; thence leaving the said Highway and running back therefrom parallel with and 60.0 feet perpendicularly distant from the second line hereof North 12 degrees 40 minutes East 822.9 feet to the point of beginning; containing 1.11 acres of land, more or less. The street address of said Parcel No. 2 is currently known and designated as 0 (no street number

assigned) Lappans Road, Fairplay, Maryland, and is further identified as tax account no. 12-003625.

PARCELS 1 AND 2 BEING all of the property which was conveyed from Lois S. Harrison to Walnut Hill Farm, LLC (a Maryland limited liability company) by Deed dated December 16, 2005, and recorded in Liber 2908, folio 354 among the Land Records of Washington County, Maryland.