

ORDINANCE NO. ORD-2023-04

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM**

(Re: Reinhart 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. The Estate of James Reinhart (the "Property Owner"), is the fee simple owner of real property consisting of 267.138 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 MILLION DOLLARS AND NO CENTS (\$1,000,000.00), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the "Reinhart RLP Conservation Easement").

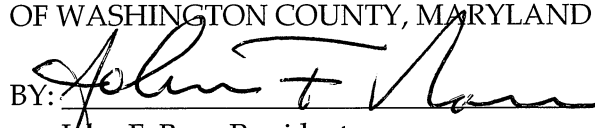
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of a conservation easement on the Property be approved and that the President of the Board and the County Attorney be and are hereby authorized and directed to execute and attest, respectively,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

ADOPTED this 7th day of March, 2023.

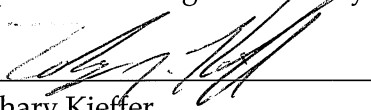
ATTEST:


Kirk C. Downey, County Attorney

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
John F. Barr, President

Approved as to legal sufficiency:



Zachary Kieffer
Assistant County Attorney

Mail to:

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

EXHIBIT A - DESCRIPTION OF PROPERTY

All those tracts, lots or parcels of land, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 1, Washington County, Maryland, and being more particularly described in accordance with the description contained in the Deeds recorded in Liber 511, folio 529, and Liber 739, folio 92 among the Land Records of Washington County, Maryland, as follows:

TRACT NO. 1: Tax account nos. 01-010344, 17218 Shepherdstown Pike, Sharpsburg: ALL those parcels of land situate in Election District No. 1, Washington County, Maryland, being more particularly described as follows:

PARCEL NO. 1: BEGINNING for the outlines thereof at the beginning of a Deed from Samuel Price to Christian Beeler, and running with the 1st line of said Deed North 28 degrees East 45 perches to a stone; thence through the center of a lane North 55 degrees West 171 ½ perches to a stone; thence South 41 ½ degrees West 4 perches to a stone; thence North 61 ½ degrees West 100.5 perches to a stone; thence North 33 ½ degrees East 46.5 perches to the bank of the C & O Canal; thence North 77 degrees West 46 ¾ perches to the 5th line of Lot No. 2; thence reversing that line South 33 ½ degrees West 48.5 perches to a stone planted at the foot of a small marked Dogwood tree; thence South 54 degrees East 124 ¾ perches to a stone; thence by a straight line to the point of beginning; containing 76 ¼ acres of land, more or less.

PARCEL NO. 2: Being all that tract or parcel of land, situate in Election District No. 1, Washington County, Maryland, and BEGINNING for the outlines thereof at the end of 45 perches in the 1st line of the Deed from the said Price to Beeler, and running with the outlines of said Deed the six following lines: North 28 degrees East 47 perches to a marked Black Oak tree; [thence] North 60 degrees West 216 perches to a marked Hickory tree; [thence] North 80 degrees 19 perches to the bank of the Potomac River; then down along the bank of the said River North 86 degrees West 8 perches; [thence] North 71 degrees West 34 ½ perches; [thence] North 77 degrees West 4 perches; then leaving the outlines South 33 ½ degrees West 51 perches; [thence] South 61 ½ degrees East 100 ½ perches; [thence] North 41 1/1 degrees East 4 perches; thence by a straight line to the point of beginning; containing 75 acres of land, more or less.

PARCEL NO. 3: Being all that tract of land called "Fertile Grove," situate about 1 1/3 miles West of the Town of Sharpsburg in Election District No. 1, Washington County, Maryland, and near the C & O Canal, and also near the public road leading from said Sharpsburg to Shepherdstown, West Virginia, said Parcel No. 3 being contiguous to Parcels No. 1 and 2 above described, and containing 101 acres of land, more or less.

TRACT NO. 1 BEING all of the same property which was conveyed from Irma Idella Snyder Reinhart, Widow, to James P. Reinhart by Deed dated September 23, 1970, and recorded in Liber 511, folio 529 among the Land Records of Washington County, Maryland.

TRACT NO. 2: Tax account nos. 01-05982, 0 (no street number assigned) Shepherdstown Pike, Sharpsburg: ALL that lot or parcel of land situate on the West side of

Maryland Route 34, approximately 1 mile South of Sharpsburg, in Election District No. 1, Washington County, Maryland, being more particularly described as follows:

BEGINNING at an iron pipe now [or formerly] set in a lane, said iron pipe being set at the end of the 1st or North 77 degree West 77 ½ perch line of a Deed from Robert G. Marcum, Personal Representative of the Estate to HESSIE V. MARCUM, to Robert G. Marcum recorded in Liber 615, folio 368 among the Land Records of Washington County, Maryland, and running thence with the 2nd line of said Deed North 28 degrees 00 minutes 00 seconds East 1992.40 feet to an iron pipe set in an existing fence line; thence with part of the 3rd line of said Deed South 47 degrees 19 minutes 06 seconds East 552.72 feet to an iron pipe set in the Western right of way line of the Norfolk and Western Railroad; thence with said right of way line with a curve to the right having a radius of 1877.08 feet, central angle of 2 degrees 30 minutes 14 seconds, chord bearing and distance of South 38 degrees 25 minutes 13 seconds West 82.03 feet to an iron pipe set; thence continuing with said right of way line South 39 degrees 40 minutes 20 seconds West 1767.87 feet to an iron pipe set; thence leaving said right of way and running with portions of the 1st line of the aforementioned Deed North 75 degrees 57 minutes 38 seconds West 167.11 feet to the point of beginning; containing 15.465 acres of land, more or less.

TRACT NO. 2 BEING all of the same property which was conveyed from Agnes V. Marcum, Personal Representative of the Estate of Robert G. Marcum, deceased, to James P. Reinhart and Evelyn H. Reinhart, his wife, by Deed dated February 7, 1983, and recorded in Liber 739, folio 92 among the Land Records of Washington County, Maryland. Evelyn H. Reinhart died on December 10, 2020; title thereafter vested in James P. Reinhart as surviving tenant by the entirety.