

ORDINANCE NO. ORD-2024-03

AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM
(*Re: Reiser 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 2024, Washington County (the "County") was awarded a RLP grant totaling \$3,127,000.00 (the "RLP Funds").


4. Bert C. and Stefanie J. Reiser (the "Property Owners") are the fee simple owners of real property consisting of 56.9 acres, more or less (the "Property"), in Washington County, with an address of 2045 Reed Road, Knoxville, Maryland. The Property is more particularly described on Exhibit A attached hereto.

5. The County has agreed to pay the sum of One Hundred Ninety-Nine Thousand Four Hundred Thirty and 00/100 Dollars (\$199,430.00) which is a portion of the RLP Funds to the Property Owners for a Deed of Conservation Easement on the Property (the "Reiser RLP Conservation Easement").


THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of the Reinhart RLP 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 acquisition of the Reiser RLP Conservation Easement.

ADOPTED this 6th day of February, 2024.

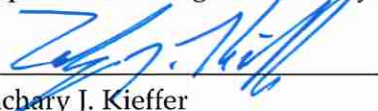
ATTEST:


Dawn L. Marcus, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
John F. Barr, President

Approved as to legal sufficiency:



Zachary J. Kieffer
Deputy County Attorney

Mail to:

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

EXHIBIT A – DESCRIPTION OF PROPERTY

ALL that tract, lot or parcel of land, and all the rights, ways, privileges, and appurtenances thereunto belonging or in anywise appertaining, situate in Election District No. 11, Washington County, Maryland, and being more particularly described as follows:

BEGINNING at the end of 76 $\frac{1}{4}$ perches on the 1st line of a Deed from Zachariah Claggett to Samuel Claggett dated November 27, 1821, said beginning point being also at the end of the 9th line of the John McDuell part of the entire tract of which [h]is parcel was formerly a part, and thence with a portion of the 1st line of the aforesaid Deed North 28 degrees East 284 feet, more or less, to the end of the 4th line of a Deed from Edward M. Colter, Widower, to George A. Coblentz, et al, dated April 18, 1958, and recorded in Liber 334, Folio 458 [among the Land Records of Washington County, Maryland]; thence with the 5th, 6th, and 7th lines of the aforesaid Deed to George Coblentz North 51 degrees 39 minutes 29 seconds West 1731.56 feet to a gate post; North 14 degrees 29 minutes 41 seconds East 13.26 feet to another gate post; North 40 degrees 48 minutes 56 seconds East 1048.40 feet to the end of the 11th or South 77 degrees West 12.4 perch line of a Deed from Edward M. Colter, Widower, to Noah W. Burtner and Daisy M. Burtner, his wife, dated May 16, 1960, and recorded in Liber 357, Folio 349 among the aforesaid Land Records; thence with the 12th and remaining lines of the last mentioned Deed to Noah H. Burtner and Wife, the following courses and distances: North 67 $\frac{1}{2}$ degrees West 8 perches; North 40 $\frac{1}{2}$ degrees West 20.9 perches; North 51 degrees West 8.8 perches; North 61 degrees West 35 $\frac{1}{2}$ perches to a locust tree; North 55 degrees West 13 $\frac{1}{2}$ perches; North 57 $\frac{1}{4}$ degrees West 27 perches to the end of the 17 perches on the 10th line of a Deed from John Brien, et al, to Samuel Claggett dated September 17, 1883; and with the lines of said Deed along the public road South 43 degrees West 23 $\frac{1}{2}$ perches to a stone; South 27 degrees West 21 perches to a stone; South 30 $\frac{1}{4}$ degrees West 30.2 perches to a stone; South 31 $\frac{1}{4}$ degrees West 28 perches; thence leaving the road South 23 $\frac{1}{2}$ degrees West 9.4 perches to a stone; thence with the division line between the lands formerly owned by Willima McDuell and John R. McDuell reversed South 62 $\frac{3}{4}$ degrees East 213 perches to the point of beginning; containing 97.3 acres of land, more or less.

SAVING AND EXCEPTING THEREFROM all that parcel of land containing 3.13 acres of land, more or less, conveyed by Robert E. Thompson and Lillie M. Thompson, his wife, to Galen F. Sullivan and Carol L. Sullivan, his wife, by Deed dated September 27, 1973, and recorded in Liber 567, Folio 723 (Deed reference corrected) among the aforesaid Land Records.

AND FURTHER SAVING AND EXCEPTING THEREFROM all that parcel of land containing 3.19 acres of land, more or less, conveyed by Robert E. Thompson and Lillie M. Thompson, his wife, to William L. Snoots and Jacqueline R. Snoots, his wife, by Deed dated September 27, 1973, and recorded in Liber 567, Folio 727 among the aforesaid Land Records.

AND FURTHER SAVING AND EXCEPTING THEREFROM all that parcel of land retained by Robert E. Thompson and Lillie M. Thompson, situate along the Northeast side of the farm lane leading Southeastwardly from Reed Road at a point approximately 0.8 miles Southwest from Kaetzel Road in Election District No. 11, Washington County, Maryland, and being more particularly described as follows:

BEGINNING at an iron pin in the Northeast margin of said lane, said iron pin being at the Southern-most corner of the parcel of land conveyed by the said Robert E. Thompson and Lillie M. Thompson, his wife, to William L. Snoots and Wife by deed dated September 27, 1973, and recorded in Liber 567, Folio 727 among the aforesaid Land Records, and running thence back from said lane binding on said parcel of land and the lands now or formerly owned by Galen F. Sullivan and Wife North 37 degrees 53 minutes 31 seconds East 750.91 feet to an iron pin; thence leaving said lands and running South 51 degrees 26 minutes East 267.94 feet to a stake; thence parallel with the 1st line of a Deed recorded in Liber 613, Folio 725 [among the aforesaid Land Records] South 37 degrees 53 minutes 31 seconds West 720.42 feet to an iron pin in the margin of the aforementioned farm lane; thence binding thereon North 50 degrees 17 minutes West 34.0 feet to a stake; and North 59 degrees 02 minutes West 235.66 feet to the point of beginning; containing 4.5 acres of land, more or less.

AND FURTHER SAVING AND EXCEPTING THEREFROM all that parcel of land containing 4.15 acres of land, more or less, conveyed by Donald H. Johnson and Carol G. Johnson by Deed dated July 14, 1977, and recorded in Liber 640, Folio 640 [among the aforesaid Land Records] and being more particularly described as follows:

BEGINNING at a stake in the Southeast margin of said Reed Road, said stake being North 37 degrees 46 minutes East 134.9 feet from a post in said margin standing at or near the beginning of the penultimate line of the Deed from Robert E. Thompson and Lillie M. Thompson, his wife, to Donald H. Johnson and Carol G. Johnson dated April 30, 1976, and recorded in Liber 613, Folio 725 among the aforesaid Land Records, and running thence along the Southeast margin of said Road as fenced North 37 degrees 46 minutes East 237.38 feet to a post; and North 40 degrees 58 minutes East 52.62 feet to a stake; thence leaving the Road and running South 60 degrees 59 minutes 40 seconds East 607.01 feet to a stake; thence South 37 degrees 24 minutes 32 seconds West 310.0 feet to a stake; and North 59 degrees 03 minutes 28 seconds West 609.12 feet to the point of beginning; containing 4.15 acres of land, more or less.

AND FURTHER SAVING AND EXCEPTING THEREFROM all that parcel of land situate along the Southeast side of Reed Road approximately 0.5 miles Southwest from Yarrowsburg, in Election District No. 11, Washington County, Maryland, conveyed by Donald H. Johnson and Carol G. Johnson by Deed dated November 23, 1977, and recorded in Liber 649, Folio 705 [among the aforesaid Land Records] and being more particularly described as follows:

BEGINNING at a post standing at or near the end of the penultimate line of the Deed from Robert E. Thompson and Lillie M. Thompson, his wife, to Donald H. Johnson and Carol G. Johnson dated April 30, 1976, and recorded in Liber 613, Folio 725 among the aforesaid Land Records, and running thence along the existing fence line and reversing the lines of said Deed North 34 degrees 24 minutes East 155.1 feet to a post; thence along the margin of Reed Road North 37 degrees 46 minutes East 134.9 feet at a stake; thence leaving the Road and running South 59 degrees 03 minutes 28 seconds East 609.12 feet to a stake; thence South 37 degrees 24 minutes 32 seconds West 310.0 feet to a stake in the closing line of aforementioned Deed; thence reversing said line as fenced North 55 degrees 59 minutes West 177.46 feet to a post; thence North 58 degrees 43 minutes West 173.9 feet; and North 57 degrees 03 minutes West 248.64 feet to the point of beginning; containing 4.15 acres of land, more or less.

AND FURTHER SAVING AND EXCEPTING THEREFROM all that parcel of land situate along the Southeast side of Reed Road approximately 0.5 miles Southwest from Yarrowsburg, in Election District No. 11, Washington County, Maryland, conveyed by Donald H. Johnson and Carol G. Johnson by Deed dated May 15, 1979, and recorded in Liber 681, Folio 421 [among the aforesaid Land Records] and being more particularly described as follows:

BEGINNING at a stake in the Southeast margin of Reed Road, said stake being 425 feet, more or less, from a post in said margin standing at or near the beginning of the penultimate line of the Deed from Robert E. Thompson and Lillie M. Thompson, his wife, to Donald H. Johnson and Carol G. Johnson dated April 30, 1976, and recorded in Liber 613, Folio 725 among the aforesaid Land Records, and running thence along the Southeast margin of said Reed Road as fenced North 40 degrees 58 minutes East 140.62 feet to a post; thence leaving the road and running South 63 degrees 3 minutes 29 seconds East 600 feet to a point; thence South 37 degrees 24 minutes 32 seconds West 310 feet to a point; thence North 60 degrees 59 minutes 40 seconds West 607.01 feet to the point of beginning; containing 4.07 acres of land, more or less.

AND FURTHER SAVING AND EXCEPTING THEREFROM all that parcel of land conveyed by Donald H. Johnson and Carol G. Johnson to Robert W. Wilcox by Deed dated June 12, 2009, and recorded in Liber 3687, Folio 35 [among the aforesaid Land Records] and being more particularly described as follows:

Lot No. 1, containing 10 acres of land, more or less, as shown on the Plat entitled "Replat of Subdivision of Lot 1 for Donald & Carol Johnson" prepared by Frederick, Seibert & Associates, Inc., dated January 22, 2009, and recorded on May 19, 2009, at Plat Folio 9687 among the Plat Records of Washinton County, Maryland.

THE street address of the herein described property is currently known and designated as 2045 Reed Road, Knoxville, Maryland; and the property is further identified as tax account no. 11-003621.

BEING all of the same property which was conveyed from Richard Wayne Neely, Jr., Trustee of the Neely Family Revocable Living Trust, and Julie Anne Neely, Trustee of the Neely Family Revocable Trust, by Deed dated June 13, 2018, and recorded in Liber/Book 5782, Folio/Page 72 among the Land Records of Washington County, Maryland.