

ORDINANCE NO. ORD-2024-15

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

(Re: Alice G. Backman 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. Alice G. Backman, Trustee of the Alice G. Backman Revocable Trust, (the "Property Owner") is the fee simple owner of real property consisting of 51.283 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 TWO HUNDRED ONE THOUSAND ONE HUNDRED THIRTY-TWO AND NO CENTS (\$201,132.00), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the "Alice G. Backman RLP Conservation Easement").

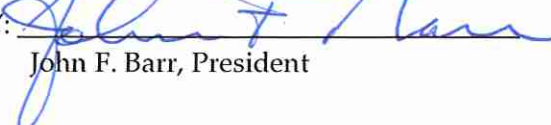
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the purchase of a conservation easement on the Property be approved and that the President of the Board and the County Attorney be and are hereby authorized and directed to execute and attest, respectively,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

ADOPTED this 5th day of March, 2024.

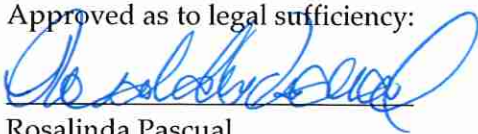
ATTEST:


Dawn L. Marcus, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 
John F. Barr, President

Approved as to legal sufficiency:



Rosalinda Pascual

Assistant County Attorney

Mail to:

Office of the County Attorney

100 W. Washington Street, Suite 1101

Hagerstown, Maryland 21740

EXHIBIT A - DESCRIPTION OF PROPERTY

ALL those tracts, lots, parcels of ground, and all the rights, ways, privileges, and appurtenances thereunto belonging on in anywise appertaining, situate along the South side of Manor Church Road at its intersection with the Antietam Creek in Election District No. 19, Washington County, Maryland, and being more particularly described in accordance with a survey dated July 1990 by Frederick, Seibert & Associates, Inc., as follows:

TRACT 1, PARCEL NO. 1: BEGINNING at a point in the centerline of Manor Church Road, said point being located opposite the most Northeastern corner of the lands of [now or formerly] Joseph L. S. Thomas, Jr., and recorded in Liber 636, Folio 184 among the Land Records of Washington County, Maryland, thence continuing with the centerline of Manor Church Road South 56 degrees 04 minutes 38 seconds East 358.50 feet to a point; thence along the same South 60 degrees 08 minutes 49 seconds East 160.54 feet to a point; thence continuing along or near the center line of Manor Church Road the following 14 courses and distances South 61 degrees 11 minutes 53 seconds East 212.28 feet to a point; thence South 45 degrees 53 minutes 45 seconds East 43.89 feet to a point; thence South 52 degrees 11 minutes 36 seconds East 237.91 feet to a point; thence South 58 degrees 42 minutes 52 seconds East 86.49 feet to a point; thence South 66 degrees 14 minutes 26 seconds East 41.80 feet to a point; thence South 66 degrees 14 minutes 26 seconds East 141.95 feet to a point; thence South 70 degrees 20 minutes 09 seconds East 41.80 feet to a point; thence South 86 degrees 30 minutes 28 seconds East 39.97 feet to a point; thence North 70 degrees 13 minutes 20 seconds East 52.87 feet to a point; thence North 57 degrees 52 minutes 01 second East 127.42 feet to a point; thence North 66 degrees 42 minutes 29 seconds East 45.29 feet to a point; thence North 87 degrees 11 minutes 04 seconds East 51.51 feet to a point; thence South 68 degrees 44 minutes 20 seconds East 81.96 feet to a point; thence South 55 degrees 32 minutes 52 seconds East 151.42 feet to a point on a bridge crossing the Antietam Creek; thence running with the Western boundary of other lands of [now or formerly] Helen F. Crane Spranklin (Liber 580, Folio 498) South 32 degrees 06 minutes 57 seconds West 622.31 feet to an iron pin set; thence along lands of the same and with an existing fenceline South 55 degrees 31 minutes 39 seconds East 462.00 feet to a recovered planted stone; thence along other lands of [now or formerly] Helen F. Spranklin (Liber 557, Folio 432) and with an existing fenceline South 25 degrees 03 minutes 21 seconds West 273.40 feet to a corner fence post; thence along lands of the same and with said fenceline South 13 degrees 27 minutes 43 seconds West 536.26 feet to an iron pin set; thence along the Northern boundary of lands now or formerly of the Potomac Conference Corporation of Seventh Day Adventists (Liber 662, Folio 365) North 71 degrees 45 minutes 55 seconds West 427.81 feet to an iron pin set and a stone pile; thence along lands now or formerly of Joseph Thomas, Jr. (Liber 580, Folio 71) North 06 degrees 29 minutes 39 seconds East 330.60 feet to an iron pin set in stone pile remains; thence along the same North 20 degrees 14 minutes 39 seconds East 594.00 feet to an iron pin set; thence crossing the Antietam Creek North 40 degrees 45 minutes 21 seconds West 128.40 feet to a point; thence running with the West side of said creek the following five courses and distances South 36 degrees 15 minutes 06 seconds East 99.31 feet; thence South 32 degrees 11 minutes 16 seconds West 218.94 feet; thence South

53 degrees 52 minutes 27 seconds West 203.14 feet to a point; thence South 55 degrees 01 minute 05 seconds West 94.72 feet to a point; thence South 35 degrees 43 minutes 39 seconds West 113.57 feet to a point; thence leaving the creek and continuing along lands of [now or formerly] Joseph Thomas (Liber 580, Folio 71) and running with the existing fenceline North 45 degrees 46 minutes 41 seconds West 46.26 feet to a tree; thence North 45 degrees 46 minutes 41 seconds West 566.45 feet to a corner fence post; along lands now or formerly of Joseph Thomas, Jr. (Liber 636, Folio 184) and running with the existing fenceline North 06 degrees 47 minutes 12 seconds East 1067.70 feet to the point of beginning; containing 42.05 acres of land, more or less.

TRACT 1, PARCEL NO. 1 BEING further shown and defined as the remaining lands lying on the South side of Manor Church Road and being recorded at Plat Folio 3192 among the Land Records of Washington County, Maryland.

TRACT 1, PARCEL NO. 2: ALL that lot or parcel of land, situate along the North side of Manor Church Road approximately 400-feet Westward from its intersection with the Antietam Creek in Election District No. 19 (erroneously recited as "Election District No. 12" in prior Deed), Washington County, Maryland, and being more particularly described in accordance with a survey dated July 1990 by Frederick, Seibert & Associates, Inc., as follows:

BEGINNING at a point in the centerline of Manor Church Road, said point also being at the end of the 7th or South 66 degrees 14 minutes 26 seconds East 41.80 feet line of the lands heretofore conveyed by Helen F. Crain to P.O. Backman, thence leaving said road and running with five lines of division made and along the remaining lands of [now or formerly] Sarah and Thomas Sayers North 30 degrees 58 minutes 22 seconds East 24.20 feet to an iron pin set; thence North 30 degrees 58 minutes 22 seconds East 287.78 feet to an iron pin set; thence South 75 degrees 06 minutes 28 seconds East 287.78 feet to an iron pin set; thence South 75 degrees 06 minutes 22 seconds East 59.80 feet to an iron pin set; thence South 47 degrees 49 minutes 01 second East 297.90 feet to an iron pin set; thence South 46 degrees 34 minutes 29 seconds East 28.61 to a point in or near the centerline of Manor Church Road; thence with said road the following seven courses and distances South 87 degrees 11 minutes 04 seconds West 51.51 feet; thence South 66 degrees 42 minutes 29 seconds West 45.29 feet; thence South 57 degrees 52 minutes 01 second West 127.42 feet; thence South 70 degrees 13 minutes 20 seconds West 52.87 feet; thence North 86 degrees 30 minutes 28 seconds West 39.97 feet; thence North 70 degrees 20 minutes 09 seconds West 41.80 feet; thence North 66 degrees 14 minutes 26 seconds West 141.95 feet to the point of beginning; containing 1.91 acres of land, more or less.

TRACT 1, PARCEL NO. 2 being further shown and described as Parcel B on a Plat of Subdivision for Sally Sayers recorded at Plat Folio 3192 among the aforesaid Land Records.

TRACT 1, PARCEL NOS. 1 AND 2 totaling 43.96 acres of land, more or less; and the street address of said Parcels 1 and 2 is currently known and designated as 19121 Manor Church Road, Boonsboro, Maryland, and further identified as tax account no. 19-008029.

TRACT 1, PARCEL NOS. 1 AND 2 BEING all of the same property which was conveyed from Per-Olof Backman and Alice G. Backman, husband and wife, to Alice G. Backman, Trustee of the Alice G. Backman Revocable Trust Agreement dated June 19, 2001, by Deed dated November 5, 2004, and recorded in Liber 2622, Folio 193 among the Land Records of Washington County, Maryland.

TRACT 2: ALL that tract of land situated on the South side of Manor Church Road at its intersection with the Antietam Creek in Election District No. 19, Washington County, Maryland, and being more particularly described as follows:

BEGINNING at a found planted stone, said stone having been marked on the North side by the initials S.S., on the East side by J.S., and on the South side by D.S., said markings having since been mostly obliterated, thence running with a portion of the lines of a Deed from Samuel and Martha Schlosser to Joel and Josiah Schlosser dated March 28, 1867, and recorded in Liber 66, Folio 58 among the aforesaid Land Records, thence leaving the said planted stone and running with the last line of the aforesaid conveyance reversed with an bounding on a portion of the lines of [now or formerly] Clarence B. Crane and Helene F. Crane, his wife, North 50 degrees 05 minutes 41 seconds West 462.0 feet to a point near the East bank of the Antietam Creek; thence running opposite the flow of said creek North 36 degrees 01 minute 05 seconds East 625.02 feet to a point in the center of a bridge and the Antietam Creek, said point also being in the South 65 degrees 14 minutes 17 seconds East 351.92 foot line of the Deed to Seymore P. Nagan, Trustee, dated September 22, 1969, and recorded in Liber 495, Folio 574 among the aforesaid Land Records; thence continuing and running with the center line of Manor Church Road and with and bounding on the said lands of [now or formerly] Seymore P. Nagan, Trustee, South 65 degrees 13 minutes 59 seconds East 351.88 feet to a railroad spike in the aforesaid center line of Manor Church Road; thence South 70 degrees 03 minutes 44 seconds East 161.86 feet to a railroad spike in the aforesaid centerline of Manor Church Road (incorrectly previously referred to as "Monroe" Church Road), said point also being at the end of the 27th or North 21 degrees 35 minutes 48 seconds East 22.38 line of a conveyance from Harvey J. and Minnie Schlosser to Clarence B. Crane and Helene F. Crane, his wife, by Deed dated March 30, 1973, and recorded in Liber 557, Folio 432 among the aforesaid Land Records; thence running with and bounding on the conveyance reversed South 21 degrees 35 minutes 48 seconds West 22.38 feet to a corner fence post in the marginal line of Manor Church Road (incorrectly previously referred to as "Monroe" Church Road); thence South 21 degrees 35 minutes 48 seconds West 89.52 feet to an iron pin in an existing fence line; thence South 59 degrees 08 minutes 29 seconds West 127.66 feet to a corner fence post; thence running with an existing fence line South 59 degrees 08 minutes 29 seconds West 142.76 feet to a corner fence post; thence South 30 degrees 11 minutes 36 seconds West 412.54 feet to the point of beginning; containing 318,976.746 square feet or 7.323 acres of land, more or less.

THE street address of said Tract 2 is currently known and designated as 0 (no street number assigned) Manor Church Road, Boonsboro, Maryland and further identified as tax account no. 19-000931.

TRACT 2 BEING all of the same property which was conveyed from Per-Olof Backman and Alice G. Backman, husband and wife, to Alice G. Backman, Trustee of the Alice G. Backman

Revocable Trust Agreement dated June 19, 2001, by Deed dated November 5, 2004, and recorded in Liber 2622, Folio 202 among the Land Records of Washington County, Maryland.