

ORDINANCE NO. ORD-2025-29

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER PROGRAM OPEN SPACE – STATESIDE (POS-STATESIDE)**

(Re: Vixen Hollow LLC POS-Stateside Easement)

RECITALS

1. The Program Open Space - Stateside ("POS-Stateside"), first implemented in Washington County in 2019, emphasizes the protection of Targeted Ecological Areas ("TEAs") in the State.

2. POS-Stateside funds are 100% state dollars, mainly from Department of Natural Resources ("DNR") Open Space funds. In addition to the easement funds, the County receives up to 3% of the easement value for administrative costs, a mandatory 1.5% for compliance/monitoring costs, and funds to cover all legal/settlement costs.

3. Vixen Hollow LLC (the "Property Owner") is the owner of real property consisting of 47.79 acres, more or less, (the "Property") in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.

4. On October 14, 2025, the County approved the Vixen Hollow LLC POS-Stateside Easement project in the approximate sum of Three Hundred Twenty-One Thousand Five Hundred Fifty-Two Dollars and No Cents (\$321,552.00), paid for 100% by DNR, to the Property Owner for a Deed of Conservation Easement on the Property (the "Vixen Hollow LLC POS-Stateside Easement").

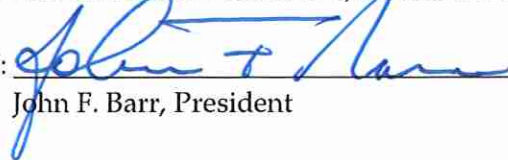
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the purchase of the Vixen Hollow LLC POS-Stateside Easement is approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the purchase of the Vixen Hollow LLC POS-Stateside Easement.

ADOPTED this 14th day of October 2025.

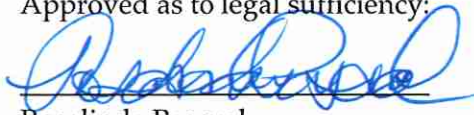
ATTEST:


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

Deputy County Attorney

Mail to:

Office of the County Attorney

100 W. Washington Street, Suite 1101

Hagerstown, MD 21740

EXHIBIT A--DESCRIPTION OF EASEMENT AREA

13030 Bikle Road, Smithsburg, Maryland

Situate along the west side of Bikle Road approximately 1,500-feet northward from its intersection with the Smithsburg Pike (aka Maryland Route 64) in Election District No. 7, Washington County, Maryland, and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. dated April 2025, as follows:

Beginning at the point of beginning of the lands conveyed by Vincent R. Groh to Vixen Hollow, LLC, by deed dated May 23, 2016, and recorded at Deed book 5233, page 349 among the Land Records of Washington County, Maryland, said point also being a point in the Bikle Road, thence running in a clockwise direction along the northern boundary of the lands of Potomac Edison Company (Liber 418, folio 660) and running with corrected bearings and distances reflecting Maryland Grid North and said recent survey, North 44 degrees 30 minutes 30 seconds West 1318.04 feet to a point, thence along the lands of Gardenhour Orchards Inc. (Liber 737, folio 971), North 24 degrees 05 minutes 26 seconds East 507.14 feet to a point, thence along lands now or formerly of Calvin and Mary Bausman (Liber 753, folio 241), North 23 degrees 38 minutes 02 seconds East 223.70 feet to a point, thence along lands now or formerly of James and Jennifer Bausman (Liber 3579, folio 490), North 23 degrees 06 minutes 29 seconds East 429.36 feet to a point, thence along the lands of the same and also along lands now or formerly of Joseph and Amy Bausman (Liber 1267, folio 94), North 28 degrees 34 minutes 24 seconds East 163.83 feet to a point and North 28 degrees 58 minutes 39 seconds East 434.50 feet to a point, thence along lands now or formerly of Kari Watt and Joshua Ruch (Liber 5807, folio 75), South 71 degrees 21 minutes 39 seconds East 646.59 feet to a point, thence along lands now or formerly of William and Audrey Partlow (Liber 1091, folio 984), North 32 degrees 07 minutes 16 seconds East 42.00 feet to a point, thence along lands now or formerly of Rebecca and Glen Fishback (Liber 6806, folio 158), South 69 degrees 06 minutes 20 seconds East 219.95 feet to a point having Maryland Grid Coordinates of North 732,661.32 and East 1,154,412.60 feet, thence running along lands now or formerly of Simone G. Heurich (Liber 4433, folio 458), South 37 degrees 35 minutes 41 seconds West 551.12 feet to a point online, thence running around the exterior of an encroachment area by Simone G. Heurich unto lands of Vixen Hollow, LLC, and running so as to exclude permitted use no. 2 as excluded by this project for the open space easement and running, South 89 degrees 54 minutes 49 seconds West 58.44 feet to a point, thence South 2 degrees 32 minutes 13 seconds East 40.46 feet to a point, thence South 89 degrees 04 minutes 20 seconds West 41.56 feet to a point, thence South 6 degrees 10 minutes 22 seconds East 65.01 feet to a point, thence South 37 degrees 35 minutes 41 seconds West 48.36 feet to a point, thence South 7 degrees 41 minutes 36 seconds East 10.85 feet to intersect the property line of Simone G. Heurich, thence continuing with Simone G. Heurich, South 37 degrees 35 minutes 41 seconds West 159.60 feet to a point, thence South 11 degrees 30 minutes 18 seconds West 205.00 feet to a point, thence South 33 degrees 29 minutes 42 seconds East 177.55 feet to a point, thence South 82 degrees 35 minutes 52 seconds East 400.61 feet to a point in Bikle Road, thence running with said road, South 18 degrees 24 minutes 15 seconds West 302.55 feet to a point and South 28 degrees 40 minutes 14 seconds West 993.37 feet to the place of beginning; containing 47.79 acres of land more or less;

Said open space easement covering the majority of but not all of the lands conveyed by Vincent R. Groh to Vixen Hollow, LLC, by deed dated May 23, 2016, and recorded at Liber 5233, folio 349 among the Land Records of Washington County, Maryland.