

ORDINANCE NO. ORD-2024-05

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM
(Re: *Sunny Land Corporation 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. Sunny Land Corporation, (the "Property Owner") is the fee simple owner of real property consisting of 202.13249 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 EIGHT HUNDRED THIRTY-ONE THOUSAND FOUR HUNDRED THIRTY-EIGHT DOLLARS AND EIGHTY-SIX CENTS (\$831,438.86), which is a portion of the RLP Funds, to the Property Owner for a Deed of Conservation Easement on the Property (the "Sunny Land Corporation 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 Sunny Land Corporation RLP Conservation Easement.

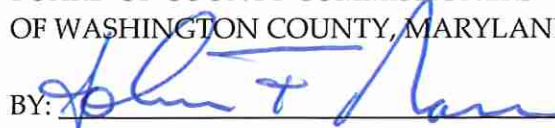
ADOPTED this 7th day of May, 2024.

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 that lot or parcel of land, and all the rights, ways, privileges, and appurtenances thereunto belonging on in anywise appertaining, being more particularly described in accordance with the last full property description of record contained in the Deed recorded in Liber 148, Folio 417 among the Land Records of Washington County, Maryland, as follows:

ALL the following described tract of land situate in Downsville Election District No. 20, Washington County, Maryland, being part of tracts called "Friendship", "Mine Bank", and "Woodburn", ally lying adjacent bordering on the road leading from Downsville to DAM NO. 4, and on the Chesapeake and Ohio Canal, and being more particularly described as follows: BEGINNING at a stone standing against the East Gate post on the East side of the road leading to the dwelling house on the land herein conveyed, said stone standing at the end of 202¼ perches in the 3rd line of a Deed from Caroline E. Shoman and William H. Armstrong, Trustees, to Anna S. Armstrong and Horra D. Showman, dated April 18, 1905, and recorded in Liber 121, Folio 694 among the aforesaid Land Records, and running thence along the East side of the road North 10½ degrees East 21½ perches to a stone; North 23½ degrees West 11½ perches to a stone; thence leaving the road or land North 80 degrees West 78¾ perches to the middle of the public road leading from Downsville to Dam No. 4, and to intersect the 16th line of the aforesaid Deed and with it reversed South 10¼ degrees West 30 perches; then reversing the 15th, 14th, 13th, 12th, 11th, 10th, 9th, and 8th lines of the aforesaid Deed South 13½ degrees West 8.8 perches to a stone; South 4 degrees East 36¼ perches; South 21 degrees West 28 perches; South 16 degrees West 15 perches to a stone; South 10 degrees West 7¼ perches to a stone; then through the middle of the watering places South 16 degrees West 8 perches to a stone in the middle of Bull Hollow; then along the Chesapeake and Ohio Canal South 41½ degrees East 31 perches; South 74 degrees East 11 perches to a point, said point being also at the end of the 7th line of the aforesaid Deed and at the end of the 5th or South 24 foot line in a Deed from William H. Armstrong and Caroline E. Showman, Trustees, to Honora D. Showman, dated May 3, 1906, and recorded in Liber 124, Folio 49 [among the aforesaid Land Records]; and running thence with the 6th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th lines of said Deed and also the line of the said Chesapeake and Ohio Canal South 66½ degrees East 12¼ perches; South 57 degrees East 24.4 perches; South 67¾ degrees East 39.8 perches; South 76 degrees East 30.6 perches; South 78¼ degrees East 24.8 perches; South 83¼ degrees East 34.8 perches; South 80½ degrees East 27.6 perches; South 79¾ degrees East 12½ perches; thence leaving the Canal with the 14th line of the aforesaid Deed North 123 perches to a stone marked K.B. being the point of beginning of the description contained in the aforesaid Deed, which said stone is also on the 2nd line of a Deed from Caroline E. Showman, et al, Executors to Honora D. Showman, dated May 3, 1906, and recorded in Liber 124, Folio 48; and running thence with said 2nd line of said last mentioned Deed North 89 degrees East 64 perches; thence with the 3rd, 4th, and 5th lines of said last mentioned Deed North 24½ degrees East 7 perches; North 21 degrees East 8½ perches; North 1 degree East 23 perches; thence with the 6th line of the said last mentioned Deed South 89¼ degrees West 202¼ perches to the point of beginning; containing 213¾ acres of land, more or less.

TOGETHER WITH a right of way over the road leading from the land herein conveyed over the land owned by [now or formerly] Honora D. Showman and Anna S. Armstrong to the public road leading from Downsville to Dam No. 4.

SAVING AND EXCEPTING THEREFROM that parcel containing 31.33 acres of land, more or less, conveyed from Sunny Land Corporation to the United States of America, by Deed dated June 9, 1976, and recorded in Liber 624, Folio 401 among the Land Records of Washington County, Maryland.

BEING PART OF (the remaining lands) the property conveyed from Samuel B. Burger to Sunny Land Corporation, a Maryland corporation, by Deed dated November 20, 1970, and recorded in Liber 514, Folio 586 among the Land Records of Washington County, Maryland.

AND SAID PROPERTY is depicted on the Plat entitled "Rural Legacy Easement Survey Lands of Sunny Land Corporation" recorded at Miscellaneous Plat Folio 1028 among the Plat Records of Washington County, Maryland.