

ORDINANCE NO. ORD-2024-39

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION  
EASEMENT UNDER THE MARYLAND CONSERVATION RESERVE  
ENHANCEMENT PROGRAM (CREP)**

*(Re: Hays CREP Easement)*

RECITALS

1. The Maryland Conservation Reserve Enhancement Program ("CREP") is a federal-State natural resources conservation program that addresses state and nationally significant agricultural related environmental concerns related to agriculture.

2. CREP provides financial incentives to program participants to voluntarily remove cropland and marginal pastureland from agricultural production in order to improve, protect, and enhance water quality in the Chesapeake Bay watershed and replacing it with the best management practices including establishment of riparian buffers, grass plantings, forbs, shrubs and trees, stabilization of highly erodible soils, habitat restoration for plant and animal species, and restoration of wetlands.

3. Protection is provided through the acquisition of easements and fee estates from willing landowners currently holding a fifteen (15) year CREP contract and the supporting activities of CREP Sponsors and local governments.

4. For FY2025, the State of Maryland ("State") is awarding CREP grants to eligible properties on a project-by-project basis. Following County approval, the application will be submitted for State funding approval.

5. David Allen and Samantha Lynne Hays are the owners of real property consisting of 130.21 easement acres, more or less, (the "Property") in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.

6. The County has agreed to pay the approximate sum of SIX HUNDRED FIFTEEN THOUSAND, THREE HUNDRED FORTY-SEVEN DOLLARS AND SIXTY-TWO CENTS (\$615,347.62), which is a portion of the CREP Funds, to the Property Owner in exchange for a Deed of Conservation Easement on the Property (the "Hays CREP Easement").

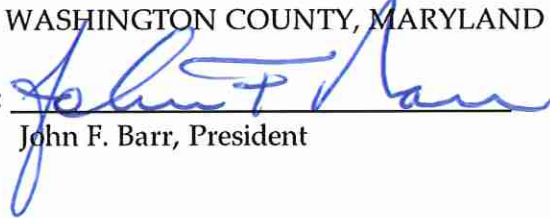
THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland that the purchase of the Hays CREP Easement is approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively, all such documents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

ADOPTED this 17 day of December, 2024.

ATTEST:

  
Dawn L. Marcus, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

BY:   
John F. Barr, President

Approved as to legal sufficiency:

  
Victor Scarpelli  
Assistant County Attorney

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

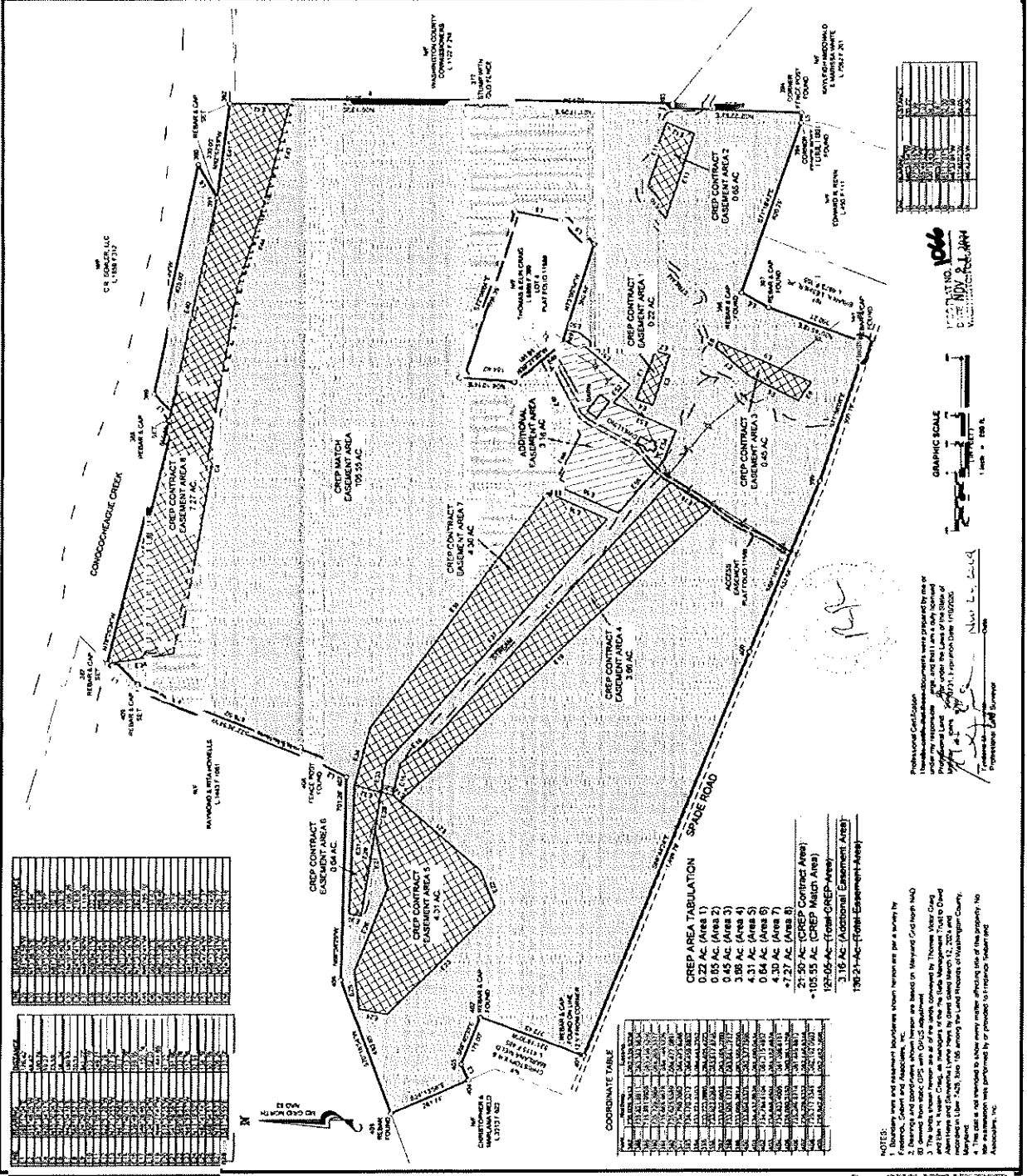
EXHIBIT A--DESCRIPTION OF EASEMENT AREA

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. 13, Washington County, Maryland, depicted on the Plat entitled "Survey of CREP Easement for David and Samantha Hays" recorded at Miscellaneous Plat Folio 1066 among the Plat Records of Washington County, Maryland, and further described on said Plat as follows:

"CREP AREA TABULATION

0.22 Ac. (Area 1)  
0.65 Ac. (Area 2)  
0.45 Ac. (Area 3)  
3.66 Ac. (Area 4)  
4.31 Ac. (Area 5)  
0.64 Ac. (Area 6)  
4.30 Ac. (Area 7)  
+7.27 Ac. (Area 8)  
21.50 Ac. (CREP Contract Area)  
+105.55 Ac. (CREP Match Area)  
127.05 Ac. (Total CREP Area)  
3.16 Ac. (Additional Easement Area)  
130.21 Ac. (Total Easement Area)"

BEING all of the same property which was conveyed from Thomas Victor Craig and Elin H. Kvalen Craig, individually and as managers of the Beta Management Trust, to David Allen Hays and Samantha Lynne Hays, as joint tenants, by Deed dated March 12, 2024, and recorded in Liber/Book 7428, Folio/Page 186 among the Land Records of Washington County, Maryland.

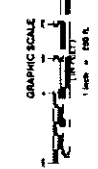


NO.	DESCRIPTION	AREA (AC)
1	CREP CONTRACT EASEMENT AREA 1	0.22
2	CREP CONTRACT EASEMENT AREA 2	0.85
3	CREP CONTRACT EASEMENT AREA 3	0.45
4	CREP CONTRACT EASEMENT AREA 4	3.88
5	CREP CONTRACT EASEMENT AREA 5	4.31
6	CREP CONTRACT EASEMENT AREA 6	0.84
7	CREP CONTRACT EASEMENT AREA 7	4.30
8	CREP CONTRACT EASEMENT AREA 8	47.27
<b>CREP CONTRACT AREAS</b>		<b>21.55</b>
<b>CREP MATCH AREAS</b>		<b>10.55</b>
<b>TOTAL CREP AREAS</b>		<b>32.10</b>
<b>ADDITIONAL EASEMENT AREAS</b>		<b>3.16</b>
<b>TOTAL EASEMENT AREAS</b>		<b>35.26</b>

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**NOTES:**  
 1. Boundary lines and easement boundaries shown herein are per as survey by Ferrick Seebert & Associates, P.C.  
 2. Bearings and distances shown herein are based on Maryland Grid North (MDG) derived from static GPS with DGUS adjustment.  
 3. This plat was prepared by Ferrick Seebert & Associates, P.C. and is subject to the terms and conditions of the Survey Agreement dated 11/2/2017.  
 4. The plat is not intended to show any matter affecting the title of the property. No warranty is made as to the accuracy of the information shown hereon.  
 5. This survey was performed by or provided to Ferrick Seebert & Associates, P.C.



Professional Civil Engineer  
 The above-mentioned documents were prepared by me or under my direct supervision and I am a duly licensed Professional Engineer in the State of Maryland.  
 Date: 11/2/2017  
 Signature: [Signature]  
 Title: Professional Engineer