

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**THURSDAY – 18 JUNE 2015 - 10:00 AM**  
**A/B Conference Room, 2<sup>nd</sup> Floor Government Center**  
***AGENDA***

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes of the meeting of 21 May 2015
4. Bank Account Report Balance as of

30 April 2015	\$103,053.18	Bank of Clarke County
+ Donations	\$ 333.62	
Balance as of May 31, 2015	<u>\$103,386.80</u>	
5. Stewardship Fund – balance as of

31 May 2015	\$72,612.37	Bank of Clarke County
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6. Campaign for the Authority – see attached report
7. Discussion
  - a. Monitoring and Inspection
  - b. Donor Reception
8. Easement Donation/Purchase
  - a. David Bralove – easement donation
  - b. Glen Masters – deed of amendment

Report on Applications for Easement Purchase

*Possible Closed Session to discuss real estate*

*Motion to go into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property and Section 2.2-3711(A)(7) for consultation with legal counsel regarding specific legal matters requiring the providing of legal advice.*

8. Adjournment - next meeting – Thursday July 16<sup>th</sup> 10 am

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**draft Minutes – 21 May 2015 draft**

A regular meeting of the Conservation Easement Authority was held at 10:00 am on Thursday, 21 May 2015, in the A/B Conference Room, 2<sup>nd</sup> Floor Government Center.

**Present:** G. Ohrstrom, L. Wallace, R. Buckley, P. Engel, M. Jones  
**Absent:** W. Thomas, M. Hobert  
**Staff:** A. Teetor  
**Call to Order :** Mr. Buckley, Chair, called the meeting to order at 10:00 a.m.

**Agenda** On motion of Mr. Ohrstrom, seconded by Ms. Wallace, the Authority unanimously approved the agenda.  
**Minutes** On motion of Ms. Wallace, seconded by Mr. Ohrstrom, the Authority unanimously voted to approve the minutes of April 16, 2015, with corrections.

**Bank Account:** Ms. Teetor provided an updated bank statement. The general fund balance as of April 30, 2015 is \$103,053.18. There were a total of \$560.00 donations in April.

**Stewardship Fund:** The stewardship fund has a balance of \$72,587.71 as of April 30, 2015.

**Public Relations:** Ms. Cardillo reported that donations resulting from the Spring newsletter are down as compared to previous years, with 5 donors contributing \$310. The photo contest postcards were mailed to all donors and entrants from last year's contest. Ms. Cardillo will also approach the school and individuals with a known interest in photography. Members discussed prizes and on motion of Ms. Wallace, seconded by Mr. Ohrstrom, agreed to provide \$300, \$200, and \$100 gift cards to Ace Photo, for first, second, or third place winners in each of the 3 categories. Other current activities include the Take a Hike flyer and having a booth at the Farmers' Market.

#### **Discussion**

**2015 Internship applicants** – Ms. Teetor provided members with 3 additional applications for the summer internship. The original applicant Christian Thomas was hired in early May and has already started. Ms. Teetor reported that he has another job and has asked to work primarily on the weekends. Ms. Teetor excused herself from the discussion as one of the applicants is her son. After discussion, members asked staff to contact Mr. Humphrey and Mr. McGuigan to see if they could work weekends with Mr. Thomas. The third applicant was disqualified based on County policy that family members cannot supervise family members. Members also discussed the need to develop policies regarding the work hours and other factors relating to the summer program.

#### **Easement Donation/Purchase**

**a. David Bralove – Easement donation** – Ms. Teetor stated that she had spoken to the applicant he stated that there are actually 2 properties that he would like included in the easement. The original 67 acres, which has 4 existing dwellings and 3 DURs, and the second property which consists of 13 acres with 1 DUR. Previously members had agreed to allow a 6 acre subdivision that would encompass one of the 4 existing houses. The applicant would like to complete a boundary line adjustment to

create the 6 acre piece leaving a parent tract of 74 acres with 3 houses. A total of 4 DURs would be retired. In addition, the applicant has requested that the Deed include a provision prohibiting timber harvest. On motion of Mr. Engle, seconded by Ms. Wallace members voted to approve the easement donation as requested.

**b. Masters – Deed of Easement amendment** – At the last meeting couple of meetings members discussed an error in the DUR allocation for Glen Masters discovered after the easement had been recorded. Records show that the existing house should have been considered an exemption and therefore the property should have been allocated a DUR. Mr. Mitchell was consulted and prepared a Deed of Amendment. The document amends the original Deed to add one DUR allowing for an additional dwelling but no subdivision. On motion of Mr. Engel, seconded by Ms. Wallace, the Authority unanimously voted to amend the Deed of Easement for Mr. Masters to retain the DUR for a tenant house, not allowing subdivision pending legal consultation with Mr. Mitchell.

**Adjournment** There being no further business, Mr. Ohrstrom moved and Ms. Jones seconded that the Authority adjourn to the Thursday June 18<sup>th</sup> at 10:00 am. The motion was approved unanimously.

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Randy Buckley, Chair

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Alison Teetor, Clerk to the Authority



2 East Main Street  
Berryville, VA 22611

May 2015

Reporting Activity 05/01 - 05/31

Page 1 of 4

ADDRESS SERVICE REQUESTED

COUNTY OF CLARKE VIRGINIA  
CONSERVATION EASEMENT STEWARDSHIP  
101 CHALMERS CT STE B  
BERRYVILLE VA 22611-1387

**Managing Your Accounts**

- Phone (540) 955-2510
- Toll-Free 1-800-650-8723
- EAGLE-24 Banking 1-888-378-1881
- Online Access [www.bankofclarke.com](http://www.bankofclarke.com)
- Mailing Address P.O. Box 391  
Berryville VA 22611

**Summary of Accounts**

Account Type	Account Number	Ending Balance
NOW-Public Fund	XXX2089	\$72,612.37

**"Spring has sprung! Why not put your home to work for you? Apply for a home equity line of credit from your favorite community bank today!"**

**NOW-Public Fund - XXX2089**

**Account Summary**

Date	Description	Amount
05/01/2015	Beginning Balance	\$72,587.71
	0 Debit(s) this period	\$0.00
	1 Credit(s) this period	\$24.66
05/31/2015	Ending Balance	\$72,612.37

**Interest Summary**

Description	Amount
Interest Earned From 05/01/2015 Through 05/31/2015	
Annual Percentage Yield Earned	0.40%
Interest Days	31
Interest Earned	\$0.00
Interest Paid This Period	\$24.66
Interest Paid Year-to-Date	\$120.04
Interest Withheld Year-to-Date	\$0.00
Minimum Balance	\$72,587.71

**Deposits**

Date	Description	Amount
05/31/2015	Accr Earning Pymt Added to Account	\$24.66

**Daily Balances**

Date	Amount	Date	Amount
05/01/2015	\$72,587.71	05/31/2015	\$72,612.37



Starting Tax Year: 5514 Ending Tax Year: 5514 Starting Date: 05/01/2015 Ending Date: 05/31/2015

DATE	DEPT	CL TICKET/SEQ.	DISTRICT NO./NAME	TAX AMT	PEN. AMT	INT. AMT	ADJ. AMT
5/12/2015	CONEAD	1170001	CONSERVATION EASEMENT	125.00	.00	.00	.00
5/15/2015	CONEAD	1180001	CONSERVATION EASEMENT	25.00	.00	.00	.00
5/21/2015	CONEAD	1190001	CONSERVATION EASEMENT	25.00	.00	.00	.00
5/28/2015	CONEAD	1210001	CONSERVATION EASEMENT	25.00	.00	.00	.00
5/28/2015	CONEAD	1220001	CONSERVATION EASEMENT	100.00	.00	.00	.00
CLASS TOTAL				300.00	.00	.00	.00
DEPT TOTAL				300.00	.00	.00	.00
FINAL TOTAL				300.00	.00	.00	.00
TOTAL ITEMS BY YEAR							
5514				5			
				ALL ITEMS	5		

+ Square deposit \$33.62



ROBIN COUCH CARDILLO

June 12, 2015

Clarke County Conservation Easement Authority  
Fundraising and Public Relations Report  
June 2015 meeting

**Donor Statistics**

See attached Master Report

- Spring newsletter to date: \$920, 12 donors

**Ongoing**

*-Photo contest*

- Extended deadline to June 30; good response thus far
- Last call for photos (photographers you know)
- Posters and media release distributed
- Judging – update on process
- Photo revenue

*-Publicity*

- Take a Hike flyer: media release distributed; reported on WINC-FM and The Observer
- Farmers' Market – scheduled for June 27
  - Michelle – 8-10:00; Alison, George – 10:30-12; others?
  - Display map, Take a Hike flyers, Take a Hike poster (conversation starter), photo contest poster and guidelines

*-Donor reception*

- Friday, June 26; invitations mailed (donors and easement property owners)

*-Summer newsletter*

- Ideas for profile piece

*-Other*

- Outreach through speaking engagements
- Outreach to high school to engage students, explore scholarship

# Fundraising Results: Clarke County Conservation Easement Authority

As of June 12, 2015

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Amount	\$13,345	\$19,090	\$20,871	\$25,649	\$26,396	\$25,843	\$23,530	\$42,266	\$36,260	\$3,620.00
# Donations	115	161	208	209	203	195	181	200	169	37
<b>YE Donor Appeal</b>										
YE Donor Appeal Amount	\$8,465	\$8,310	\$8,477	\$10,134	\$8,376	\$12,815	\$7,250	\$15,706	\$17,635	
Donor Respondents	73	59	87	86	76	68	50	69	51	
YE Prospect Amount	\$2,115	\$2,115	\$425				\$40		\$1,650	
Prospect Respondents		24	7				1		3	
<b>Winter Newsletter</b>										
Dollar Amount	\$2,700	\$2,700	\$2,074	\$2,065	\$2,865	\$2,126	\$3,611	\$4,805	\$3,335	\$2,700
Respondents	23	23	19	27	32	21	32	39	26	25
<b>Spring Newsletter</b>										
Donor: Dollar Amount	\$3,775	\$455	\$2,074	\$5,820	\$2,810	\$2,520	\$3,415	\$1,975	\$3,705	\$920
Donor: Respondents	35	5	19	38	26	27	32	28	26	12
Donor: Spring Newsletter: Dollar Amt	\$2,200	\$2,200	\$940	\$460	\$450	\$825	\$765	\$165	\$1,380	
Donor: Spring Newsletter: Respondents	16	16	19	10	4	11	5	4	9	
<b>Summer Newsletter</b>										
Dollar Amount	\$2,370	\$2,370	\$2,020	\$1,330	\$1,883	\$2,735	\$1,580	\$5,040	\$3,215	
Respondents	20	20	27	22	33	26	21	22	27	
<b>Fall Newsletter</b>										
Donor: Dollar Amount	\$2,210	\$2,210	\$765	\$260	\$7,300	\$2,946	\$4,630	\$2,660	\$2,325	
Donor: Respondents	12	12	5	7	25	26	30	27	14	
Donor: Taxpayer Fall Newsletter Dollar Amt	\$1,430	\$1,430	\$90	\$1,405	\$65	\$605	\$715	\$240	\$760	
Donor: Taxpayer Fall Newsletter: Respondents	25	25	4	8	2	8	9	5	5	
<b>Over the Transom</b>										
Dollar Amount	\$3,380	\$3,380	\$3,380	\$4,175	\$1,900	\$868	\$1,457	10,500	\$1,550	
Donor Respondents	17	17	17	11	5	6	2	2	2	
<b>Donor Thank-You Party</b>										
Dollar Amount	\$1,105									
Donor Respondents	6									
<b>Photo Revenue</b>										
			\$747	\$57			\$67			
Gift-in-Kind (admin work donated by Kate Petranec)							\$473	\$469		

Prepared by and return to:

Robert T. Mitchell, Jr., Esquire  
P. O. Box 848  
Winchester, VA 22604-0848

TAX MAP NO: 21-A-18A

Exempt from recordation taxes under Virginia Code §58.1-801  
pursuant to §58.1-811 (A)(3)

**CORRECTION AND AMENDMENT OF DEED OF EASEMENT**

**THIS CORRECTION AND AMENDMENT OF DEED OF EASEMENT**

("Amendment"), made this 9<sup>th</sup> day of June, 2015, is between GLEN MASTERS ("Grantor"); party of the first part, and the COUNTY OF CLARKE, VIRGINIA, ("County"), and the CLARKE COUNTY CONSERVATION EASEMENT AUTHORITY ("Authority"), (collectively, "Grantee"), parties of the second part.

**WITNESSETH:**

WHEREAS, the Grantor is the owner of property containing 18.2537 acres, located at the northeast corner of the intersection of Virginia Route 620 and Virginia Route 652, in Chapel Magisterial District, Clarke County, Virginia, as more particularly shown on the Composite Plat of Lot Consolidation of the Lands of Glen Masters by W. Stuart Dunn, L.S., dated October 13, 2014, recorded in the Office of the Clerk of the Circuit Court of Clarke County, Virginia in Deed Book 583 at Page 884, and as amended by a plat attached hereto ("the Property"); and



WHEREAS, the Grantor granted and conveyed a conservation and open-space easement over the Property by Deed of Easement (“Deed of Easement”) dated December 15, 2014, and recorded in the aforesaid Clerk’s Office in Deed Book 583 at Page 886; and

WHEREAS, the Deed of Easement incorrectly stated in Section II, paragraph 1, that the property currently had one (1) unused dwelling unit right (DUR) when in fact it had two (2) DUR’s; and

WHEREAS, the parties have agreed to correct and amend the Deed of Easement with respect to the DUR’s on the property and items related thereto.

NOW, THEREFORE, the parties hereby amend the Deed of Easement as follows:

1. Section II, paragraph 1 is hereby amended to read as follows:

1. **DWELLING UNIT RIGHTS.** The Property currently has two (2) unused dwelling unit rights (DURs) pursuant to Section 3-D-2 of the Clarke County Zoning Ordinance, and one (1) existing dwelling. Pursuant to Section 3-D-3 of the Clarke County Zoning Ordinance, the Grantor does hereby voluntarily and permanently terminate one (1) unused DUR on the Property, leaving one (1) unused DUR remaining on the Property and one (1) existing dwelling.


2. Section II, paragraph 3.A., subparagraph (i) is hereby amended to read as follows:

(i) Two (2) single-family dwellings, of which one (1) exists on the date of the easement, and of which one (1) dwelling shall not exceed 4,500 square feet of above-ground enclosed living area without Grantee's prior review and written approval, and one (1) dwelling shall not exceed 2,000 square feet; and

In all other respects, the Deed of Easement remains in full force and effect.

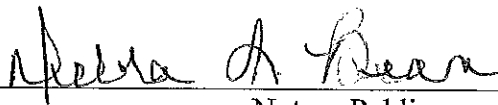
The parties acknowledge and confirm that, pursuant to Section V, paragraph 16 of the Deed of Easement, the Grant Manager under the Inter Governmental Agreement (IGA) was given timely notice in writing of this Amendment and has granted approval thereof.

WITNESS the following signatures and seals:


  
Glen Masters, Grantor

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF Clarke, To-wit:

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of June, 2015, by Glen Masters.

  
Notary Public

My commission expires: 5-31-17  
Registration No. : 309658

 OFFICIAL SEAL  
NOTARY PUBLIC-COMMONWEALTH OF VIRGINIA  
DEBRA L. BEAN  
Reg. #309658  
My Commission Expires 5-31-17

COUNTY OF CLARKE, VIRGINIA, Grantee

By: \_\_\_\_\_  
Chairman, Board of Supervisors

STATE OF VIRGINIA, At-Large

CITY/COUNTY OF \_\_\_\_\_, To-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by David Weiss, on behalf of the COUNTY OF CLARKE, VIRGINIA, Grantee.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
Registration No. : \_\_\_\_\_

(SEAL)

CLARKE COUNTY CONSERVATION EASEMENT  
AUTHORITY, Grantee

By: \_\_\_\_\_  
Chairman, Board of Directors

STATE OF VIRGINIA, At-Large  
CITY/COUNTY OF \_\_\_\_\_, To-wit:

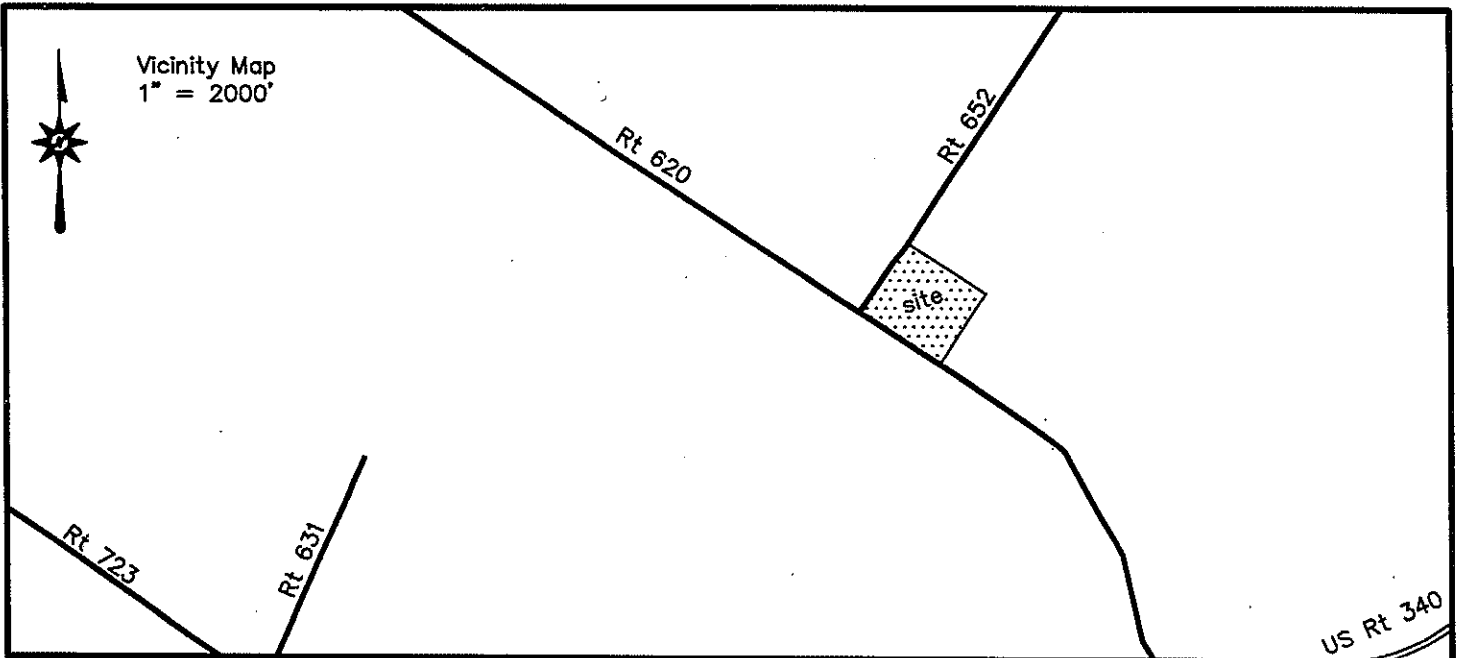
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by Randy Buckley, on behalf of the CLARKE COUNTY CONSERVATION EASEMENT AUTHORITY, Grantee.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Registration No. : \_\_\_\_\_

(SEAL)



Composite Plat of Lot Consolidation  
of the Lands of  
**Glenn Masters** (also known as Glen Masters)  
Deed Book 579, Page 950  
Tax Map 21-A-18A Tax map 21-A-18B  
Chapel Magisterial District, Clarke County, Virginia

Surveyor's Certificate: I, W. Stuart Dunn, a duly authorized Land Surveyor in the Commonwealth of Virginia, do hereby certify that the lands herein consolidated are in the name of Glenn Masters, and were acquired by him as stated in the Owner's Certificate. I further certify that these tracts are properly and accurately described and are within the boundaries of the original tracts and are referenced to the meridian established in Deed Book 136, Page 453.

*W. Stuart Dunn*  
W. Stuart Dunn, CLS #2000  
Berryville, Virginia

Owner's Certificate: The undersigned fee simple owner hereby certifies that the foregoing Lot Consolidation of 11.8530 acres, Tax Map 21-A-18A, and 6.4007 acres, Tax Map 21-A-18B, both parcels recorded in the name of Glenn Masters in deed recorded in Deed Book 579, Page 950, with 18.2537 acres being the consolidated area of Tax Map 21-A-18A and no area remaining in Tax Map 21-A-18B, is made with the free consent and in accordance with the desires of the undersigned owner, and trustees if any, of said lands and the same is hereby confirmed and submitted for record in the Clerk's Office of the Circuit Court of Clarke County, Virginia.

*Glenn Masters*  
Glenn Masters (aka Glen Masters)

I, *Debra L. Bean*, a Notary Public in and for the State of Virginia at large, do certify that Glenn Masters whose name is signed to the foregoing Owner's Certificate, has acknowledged the same before me in my state.

Notary Public *Debra L. Bean*  
Given under my hand this *9<sup>th</sup>* day of *June*, 2015.  
My commission expires: *5-31-17*



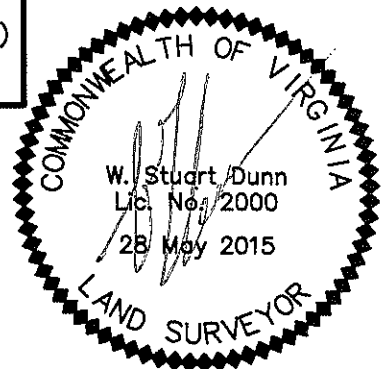
OFFICIAL SEAL  
NOTARY PUBLIC - COMMONWEALTH OF VIRGINIA  
**DEBRA L. BEAN**  
Reg. #309658  
My Commission Expires  
*5-31-17*

Area Table:

11.8530 acres	area of record of TM 21-A-18A	(1 exist dwl, 1 DUR)
6.4007 acres	area of record of TM 21-A-18B	(no exist dwl, 1 DUR)
18.2537 acres	adjusted area of TM 21-A-18A	(1 exist dwl, 2 DUR)

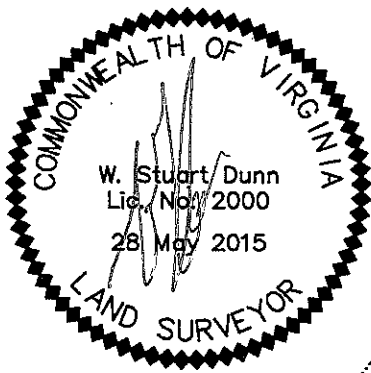
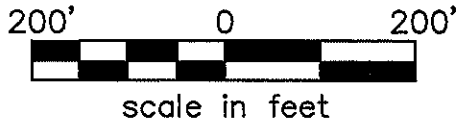
Approval: This vacation of property lines is excepted from the Clarke County Zoning Ordinance pursuant to Section 3-D-8 of said Ordinance and Title 15.2, Chapter 22, Article 6, Sections 2271 and 2272 of the Code of Virginia, 1950 (as amended).

Clarke County Zoning Administrator \_\_\_\_\_ date: \_\_\_\_\_



Survey no. 2159  
sheet 1 of 2

Dunn Land Surveys, Inc.  
106 North Church Street  
Berryville, Virginia 22611  
Tel: 540-955-3388  
October 13, 2014  
Revised May 28, 2015



Billy R. Blackburn  
& Anke F. A. Blackburn  
D.B. 182, P. 393  
TM 21-A-18  
Z: AOC

TM 21-A-18B  
6.4007 acres  
1 DUR, no exist dwl  
no area after  
consolidation  
Z: AOC

TM 21-A-18A  
11.8530 acres  
1 DUR, 1 exist dwl  
18.2537 acres after  
consolidation  
2 DUR, 1 exist dwl  
Z: AOC

Elizabeth B. Clark  
& Thomas L. Bauhan  
D.B. 463, P. 867  
TM 21-A-19  
Z: AOC

Notes:

- (1) The resulting 18.2537 acres have 1 existing dwelling and 2 DUR.
- (2) Setbacks as follows: 125' from the center line of Pyletown Road, state scenic byway, 50' from all property lines, 50' from any intermittent stream, 100' from any perennial stream, spring and/or sinkhole.
- (3) Tracts are in AOC Zoning District (agricultural-open space-conservation); use is residential/agricultural.
- (4) dwl = dwelling; TM = tax map identification number; DUR = dwelling unit right
- (5) These parcels are in Flood Zone X, established from FIRM Community Panel no. 51043C0135D, effective September 28, 2007.
- (6) These tracts are in the AOC (agricultural-open space-conservation) Zoning District. Agriculture is the primary economic activity of this Zoning District. Owners, residents, other users of property in the AOC district may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from agricultural operations even though conducted in accordance with best management practices and/or in accordance with existing laws and regulations of the Commonwealth and County. Such agricultural operations may generate noise, odors and dust, may involve the operation of machinery including aircraft, the storage and disposal of manure and the application of fertilizer, soil amendments and pesticides. Owners, occupants and users of land in the AOC District should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a Zoning District in a County with a strong rural character and an active agricultural sector.
- (7) Vegetated property buffer except for those land uses listed as exempt, existing woody vegetation within 25' of all property lines shall be retained on parcels of less than 20 acres, as per Section 3-A-1-f of the Clarke County Zoning Ordinance.
- (8) Before fertilizers and pesticides are used for lawn or landscaping purposes, a soil test should be conducted. The application of such chemicals shall be limited due to the potential for groundwater contamination and should not exceed that determined necessary by the soil test.

Survey no. 2159  
sheet 2 of 2

Dunn Land Surveys, Inc.  
106 North Church Street  
Berryville, Virginia 22611  
Tel: 540-955-3388  
October 13, 2014  
Revised May 28, 2015