

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**THURSDAY – 16 JULY 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	<u>\$ 3,423.62</u>	
Balance as of June 30, 2015	\$106,476.80	

Donations in May - \$333.62, donations in June \$3,090  
Expenditure report attached
5. Stewardship Fund – balance as of

30 June 2015	\$72,636.24	Bank of Clarke County
--------------	-------------	-----------------------
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
  - c. Cool Spring Farm, LLC – grant application
  - d. Tavenner – easement donation, DUR purchase

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 August 20<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.

---

Randy Buckley, Chair

---

Alison Teetor, Clerk to the Authority

Starting Tax Year: 5514 Ending Tax Year: 5514 Starting Date: 06/01/2015 Ending Date: 06/30/2015

DATE	DEPT	CL	TICKET/SEQ.	DISTRICT NO./NAME	TAX AMT	PEN. AMT	INT. AMT	ADJ. AMT
6/01/2015	CONEAD		1230001	KERR ANNE	50.00	.00	.00	.00
6/02/2015	CONEAD		1250001	CONSERVATION EASEMENT	25.00	.00	.00	.00
6/08/2015	CONEAD		1260001	MACKAY-SMITH JUSTIN	200.00	.00	.00	.00
6/08/2015	CONEAD		1270001	WHITEHOUSE JUDITH ANN	300.00	.00	.00	.00
6/11/2015	CONEAD		1280001	CONSERVATION EASEMENT	100.00	.00	.00	.00
6/17/2015	CONEAD		1290001	CONSERVATION EASEMENT	100.00	.00	.00	.00
6/17/2015	CONEAD		1300001	CLARKE CO CONSERVATIO	1,000.00	.00	.00	.00
6/22/2015	CONEAD		1310001	CONSERVATION EASEMENT	25.00	.00	.00	.00
6/26/2015	CONEAD		1340001	CONSERVATION EASEMENT	25.00	.00	.00	.00
6/30/2015	CONEAD		1350001	CONSERVATION EASEMENT	100.00	.00	.00	.00
6/30/2015	CONEAD		1360001	CONSERVATION EASEMENT	565.00	.00	.00	.00
6/30/2015	CONEAD		1400001	CONSERVATION EASEMENT	100.00	.00	.00	.00
				CLASS TOTAL	2,590.00	.00	.00	.00
				DEPT TOTAL	2,590.00	.00	.00	.00
				FINAL TOTAL	2,590.00	.00	.00	.00

TOTAL ITEMS BY YEAR  
5514 12

ALL ITEMS 12

4 \$500 paypal

## Easement Authority Expenses - May 1 thru July 8, 2015

<b>Date</b>	<b>Category</b>	<b>Vendor</b>	<b>Invoice Amount</b>
5/20/2015	Postage for postcards photo contest	Post Office	\$196.00
5/27/2015	Stone cutting	Malcolm Harlow	\$ 100.00
5/27/2015	Photo contest postcard-design & production	Gloria Marconi	\$ 200.00
5/29/2015	A Teetor mileage for CEA	Alison Teetor	\$ 145.60
6/3/2015	Flowers for Walker	Alison Teetor	\$ 23.96
6/3/2015	Bird Bath	Alison Teetor	\$ 189.54
6/12/2015	Robin Cardillo-prep work for photo contest	Robin Cardillo	\$ 1,280.00
6/23/2015	CEA Donor Dinner	Jordan Springs Market	\$ 1,345.00
6/24/2015	CEA Donor Dinner-Jordan Springs Market	Jordan Springs Market	\$ 490.00
7/8/2015	B Mitchell Invoice for June 2015	Bob Mitchell	\$ 290.00
7/8/2015	Advertisement Invoice	CC Ruritan Club	\$ 80.00
		<b>Total</b>	<b>\$4,340.10</b>



2 East Main Street  
Berryville, VA 22611

**June 2015**

Reporting Activity 06/01 - 06/30

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	\$72,636.24

**"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
06/01/2015	<b>Beginning Balance</b>	<b>\$72,612.37</b>
	0 Debit(s) this period	\$0.00
	1 Credit(s) this period	\$23.87
06/30/2015	<b>Ending Balance</b>	<b>\$72,636.24</b>

**Interest Summary**

Description	Amount
Interest Earned From 06/01/2015 Through 06/30/2015	
Annual Percentage Yield Earned	0.40%
Interest Days	30
Interest Earned	\$0.00
Interest Paid This Period	\$23.87
Interest Paid Year-to-Date	\$143.91
Interest Withheld Year-to-Date	\$0.00
Minimum Balance	\$72,612.37

**Deposits**

Date	Description	Amount
06/30/2015	Accr Earning Pymt Added to Account	\$23.87

**Daily Balances**

Date	Amount	Date	Amount
06/01/2015	\$72,612.37	06/30/2015	\$72,636.24





ROBIN COUCH CARDILLO

July 10, 2015

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

**Donor Statistics**

See attached Master Report

- Spring newsletter to date: \$2,220, 19 donors
- Flower auction at donor reception: \$565, 14 donors
- Total: \$2,785, 33 donors

**Ongoing**

*-Photo contest*

- Winners named during judging on July 13
- Media release to be developed
- Work with Clarke County Fair on displaying photographs; other display venues
- Photo revenue

*-Publicity*

- Farmers' Market – is August a possibility?
  - Display map, Take a Hike flyers, Take a Hike poster (conversation starter), photo contest poster and guidelines

*-Donor reception*

- Well-attended; \$565 from the flower auction

*-Summer newsletter*

- Ideas for profile piece?
- Articles on photo contest, donor reception, Appalachian Trail Community

*-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	\$5,485.00
# Donations	115	161	208	209	203	195	181	200	169	60

YE Donor Appeal	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
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	\$425				\$40		\$1,650	
Prospect Respondents		24	7				1		3	

Winter Newsletter	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Dollar Amount	\$3,775	\$455	\$2,074	\$5,820	\$2,810	\$2,520	\$3,415	\$1,975	\$3,705	\$2,220
Respondents	35	5	19	38	26	27	32	28	26	19

Spring Newsletter	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Donor: Dollar Amount	\$3,775	\$455	\$2,074	\$5,820	\$2,810	\$2,520	\$3,415	\$1,975	\$3,705	\$2,220
Donor: Respondents	35	5	19	38	26	27	32	28	26	19
Payee Spring Newsletter: Dollar Amt		\$2,200	\$940	\$460	\$450	\$825	\$765	\$165	\$1,380	
Payee Spring Newsletter: Respondents		16	19	10	4	11	5	4	9	

Summer Newsletter	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
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	

Fall Newsletter	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
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	
Payee Fall Newsletter Dollar Amt		\$1,430	\$90	\$1,405	\$65	\$605	\$715	\$240	\$760	
Payee Fall Newsletter: Respondents		25	4	8	2	8	9	5	5	

Over the Transom	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Dollar Amount	\$3,380		\$3,380	\$4,175	\$1,900	\$868	\$1,457	10,500	\$1,550	
Donor Respondents	17		17	11	5	6	2	2	2	

Donor Thank-You Party	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Dollar Amount	\$1,105				\$1,900	\$868	\$1,457	10,500	\$1,550	
Donor Respondents	6			11	5	6	2	2	2	

Photo Revenue	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Dollar Amount	\$1,105				\$1,900	\$868	\$1,457	10,500	\$1,550	
Donor Respondents	6			11	5	6	2	2	2	

Gift-in-Kind (admin work donated by Kate Petranec) \$346 \$473 \$469



# **2015 Easement Authority Inspection Summary Report**

As of 7/10/15

Inspections conducted by Christian Thomas and Macson McGuigan

Easement monitors Christian Thomas and Macson McGuigan began their Easement Monitoring internship in June of 2015. We were prepped on the use of ArcMaps in the Easement Authority and the Clarke County MapsOnline website to view easement properties and access the owner's contact information. Our work has been done primarily with easement file folders dating back to 2003, which contain information that allows us to assess the agreement between the owners and the county. Alison asked us to pull the folders from her desk and create a monitoring folder if one was not already present. If a monitoring folder is present then we updated it after the 2015 annual inspection. The database has a record of 94 easement properties and as of July 10<sup>th</sup>, 2015 we have completed inspections on 46 of them. The 46 completed ones contain updated pictures and a new monitoring folder, if necessary, an up-to-date stewardship form, a copy of the deed of easement, and a copy of the original baseline report. If, and when we noticed new zoning issues and needed building permits on the properties inspected than we were to ask Holly to retrieve this info so we could add it to the new monitoring files. Today, July 10<sup>th</sup>, 2015 we have 48 Clarke County conservation easements left to inspect.



COMMONWEALTH of VIRGINIA  
Department of Agriculture and Consumer Services

*Sandra J. Adams*  
Commissioner

PO Box 1163, Richmond, Virginia 23218  
Phone: 804/786-3501 • fax: 804/371-2945 • Hearing Impaired: 800/828-1120  
[www.vdacs.virginia.gov](http://www.vdacs.virginia.gov)

June 19, 2015

Ms. Alison Teetor  
Natural Resource Planner  
Clarke County  
101 Chalmers Ct., Suite B  
Berryville, VA 22611

Dear Ms. Teetor:

This letter is to acknowledge that the Virginia Department of Agriculture and Consumer Services (VDACS) is in receipt of the written notice received electronically on May 20, 2015, from Clarke County requesting a correction and amendment of the Glen Masters deed of easement recorded in the land records office of Clarke County on December 19, 2014. It is our understanding that the correction and amendment was requested to correct an error discovered in the recorded deed of easement relating to the permitted number of dwelling unit rights allowed on the property.

Section V, paragraph 16 of the Glen Masters deed of easement states that VDACS (also the "Grant Manager") must be given timely written notice of any proposed amendment. VDACS staff has reviewed the proposed amendment and has the following comment:

- 1) The original recorded deed of easement references Schedule A for the property description. The draft amendment does not reference Schedule A but instead provides a written property description in the amendment. The amendment uses some, but not all, of the language from Schedule A. The wording between the recorded easement and the amendment needs to be consistent.

Provided the comment above is addressed to our satisfaction, VDACS approves the correction and amendment to the Glen Masters deed of easement. Please provide VDACS with a copy of the correction and amendment once recorded in the local land records office of Clarke County.

If you or your attorneys have any concerns or questions, please contact Andy Sorrell, Coordinator, Office of Farmland Preservation, at (804) 786-1906 or [andrew.sorrell@vdacs.virginia.gov](mailto:andrew.sorrell@vdacs.virginia.gov).

Sincerely,

A handwritten signature in cursive script that reads "Sandra J. Adams".

Sandra J. Adams  
Commissioner

cc: Andy Sorrell, Coordinator, Office of Farmland Preservation

15-1177

BOOK 591 PAGE 302

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 and is more particularly described in Schedule A attached to the herein and after Deed of Easement dated December 15, 2014 (“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  
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.

Debra A. Bean  
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

By: *David Weiss*  
Chairman, Board of Supervisors

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

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of June, 2015, by David Weiss, on behalf of the COUNTY OF CLARKE, VIRGINIA, Grantee.

*Lora B. Walburn*  
Notary Public

My commission expires: August 31 2015  
Registration No. : 3206567

LORA B. WALBURN  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #326567  
My Commission Expires August 31, 2015



CLARKE COUNTY CONSERVATION EASEMENT  
AUTHORITY, Grantee

By: Randy Buckley  
Chairman, Board of Directors

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

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of July, 2015, by Randy Buckley, on behalf of the CLARKE COUNTY CONSERVATION EASEMENT AUTHORITY, Grantee.

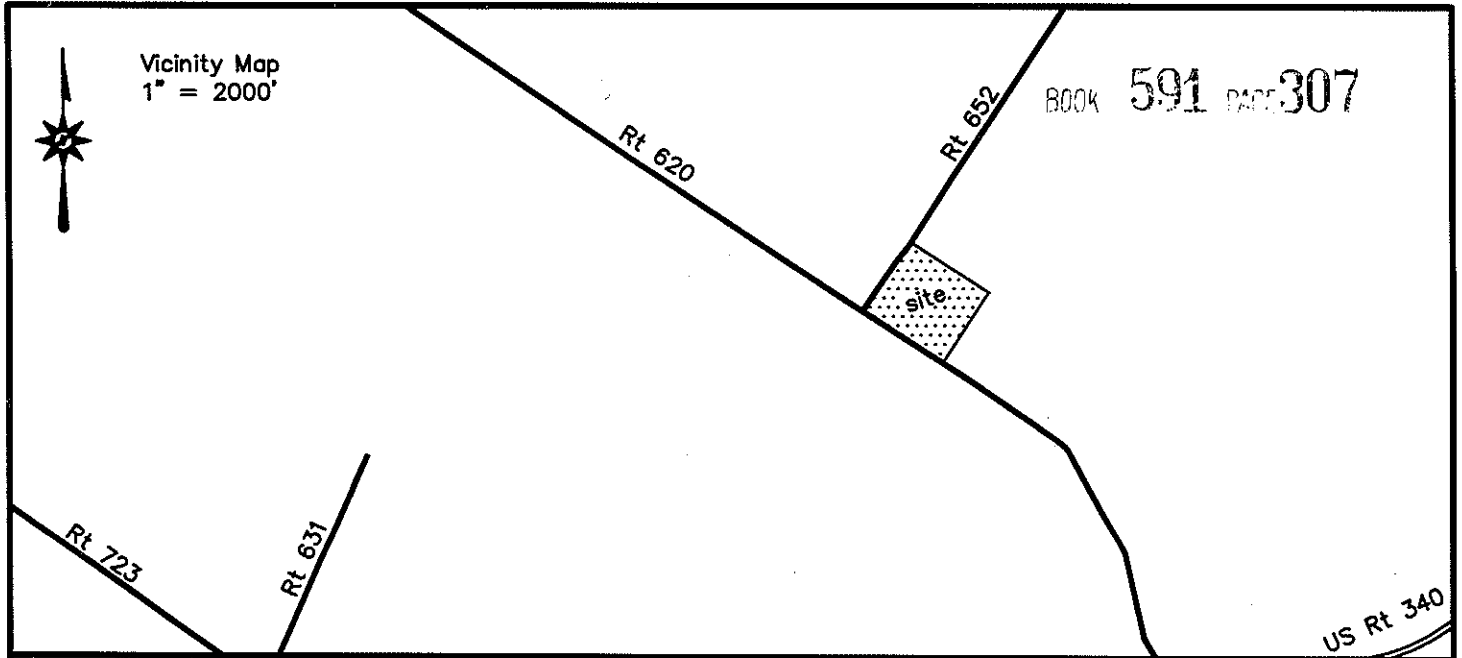
Debra L. Bean  
Notary Public

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

(SEAL)



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



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, CLS #2000  
Berryville, Virginia

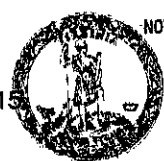
Owner's Certificate: The undersigned fee simple owner hereby certifies that the foregoing Lot Consolidation of 11.8530 acres, Tax Map 21-A-18A, and 6.4007 acres, Tax Map 21-A-18B, both parcels recorded in the name of Glenn Masters in deed recorded in Deed Book 579, Page 950, with 18.2537 acres being 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 *9th* 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*

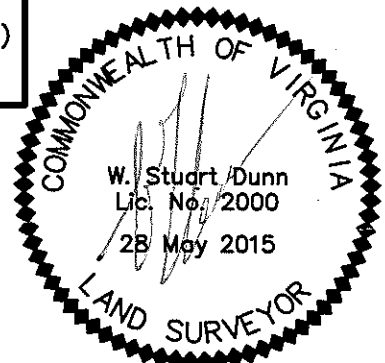


Area Table:		
11.8530 acres	area of record of TM 21-A-18A	(1 exist dwl, 1 DUR)
6.4007 acres	area of record of TM 21-A-18B	(no exist dwl, 1 DUR)
18.2537 acres	adjusted area of TM 21-A-18A	(1 exist dwl, 2 DUR)

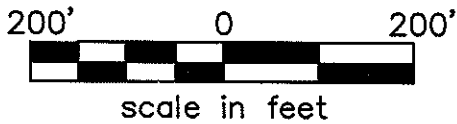
Approval: This vacation of property lines is excepted from the Clarke County Zoning Ordinance pursuant to Section 3-D-8 of said Ordinance and Title 15.2, Chapter 22, Article 6, Sections 2271 and 2272 of the Code of Virginia, 1950 (as amended).

*[Signature]*  
Clarke County Zoning Administrator

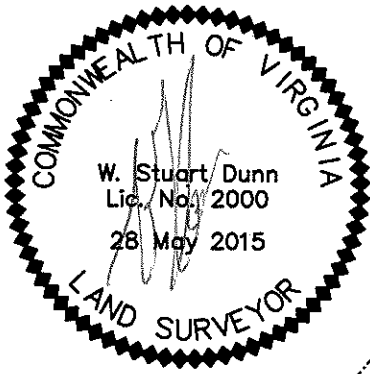
*6/16/15*  
date:







BOOK 591 PAGE 308



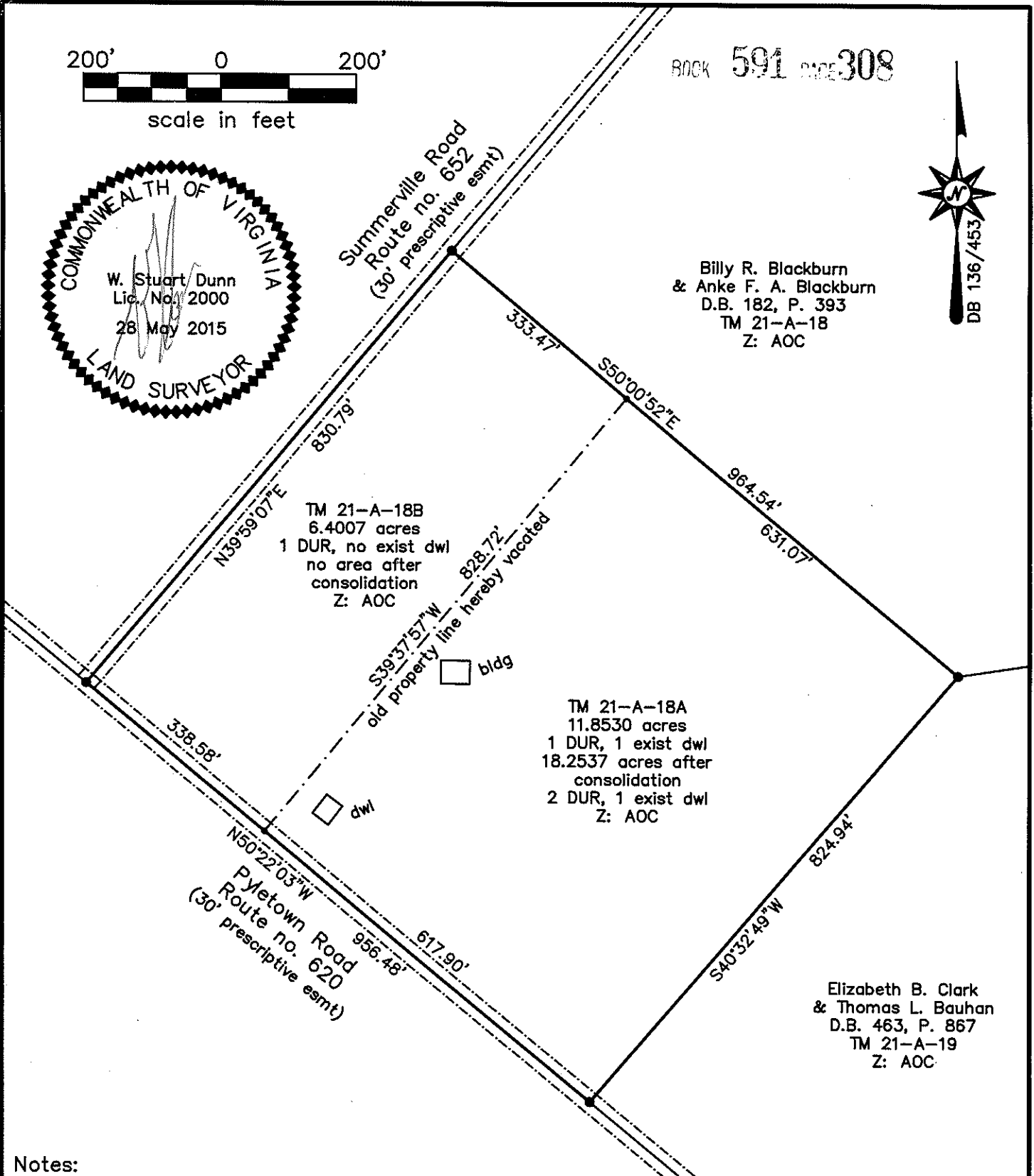
Summerville Road  
Route no. 652  
(30' prescriptive esmt)

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.  
Clarke Co., SCT.

Survey no. 2159  
sheet 2 of 2

This instrument of writing was produced to me on the 10 day of July, 2015, at 2:45 p.m. and with certificate of acknowledgement thereto attached was admitted to record.

Teste: Helen Cutts, Clerk

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

## MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: July 9, 2015  
SUBJECT: Application for easement purchase – Cool Spring Farm  
Tax Map# 16-((A))-55

Cool Spring Farm, LLC, Mike Cassidy, agent, has applied to the easement authority for approval of an easement purchase. The property qualifies for several grants as it is located within the Cool Spring Battlefield Study area. Federal grants include the American Battlefield Protection Program and ALE (Formally FRPP), state grants include the Virginia Land Conservation Fund, Virginia Battlefield Preservation Fund, and VDACS. The parcel has 2 existing houses and 3 remaining DUR's. They will be scored and treated individually as they will not be merged and will have separate applications under the FRPP program.

The property is located at the end of Glebe Lane off of Castleman Road just north of the Monastery. The property consists of 106 acres. The applicant would like to retire all of the remaining DURs.

The parcel is zoned AOC and is in use value taxation, therefore in accord with the Commissioner of Revenue's requirements, therefore a purchase may be considered if at least two of the following four guidelines are met:

### **Easement Purchase**

If the parcel is currently in or eligible for use value taxation, in accord with the Commissioner of Revenue's requirements, then a purchase may be considered if at least two of the following four guidelines are met:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

The property meets all 4 of the criteria. The parcel score is over 35 (112.9), points were given for retiring 3 DUR's, being next to an existing easement, and being in the Cool Spring Battlefield National Register District; and it is more than 40 acres.

### **Recommendation**

Give preliminary approval for grant applications and schedule a site visit.



**Cool Spring Farm, LLC**  
**Tax Map# 16-((A))-55, 106.00 acres, 2 ext. house, 3 DUR**



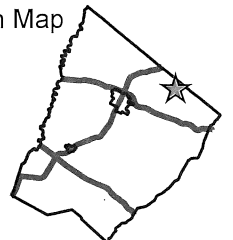
Clarke County GIS  
 July 8, 2015

800 400 0 800 Feet



-  Conservation Easements
-  Public Road
-  Private Road
-  Scenic Byway

Location Map



## MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: June 23, 2015  
SUBJECT: Application for easement DUR purchase - Larry and Bill Tavenner  
Tax Map# 22-((A))-15  
Application for easement donation – Larry and Linda Tavenner  
Tax Map# 22-((A))-15A

The Tavenners have applied to place 2 parcels in conservation easement for the purpose of selling a DUR and completing a boundary line adjustment to create 2 101/2 acre parcels.

Larry and Bill Tavenner own the 16 acre parcel that has 2 DURs. The parcel is identified as tax map# 22-((A))-15 and is located in the 200 block of Annefield Rd. It is vacant and has 2 DUR's. They would like to retire one of the DURs through a DUR purchase. The property is within the groundwater recharge area, and fronts on Annefield Road, a state designated scenic byway. The parcel has been in the Tavenner family for between 30 and 50 years.

The parcel is zoned AOC is in use value taxation, in accord with the Commissioner of Revenue's requirements, therefore a DUR purchase may be considered if at least two of the following four guidelines are met:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

The property meets 2 of the 4 criteria. The property resource score is 54.44, and 1 DUR is being retired. It is not next to an existing easement and it is under 40 acres.

The second parcel is owned by Larry and Linda Tavenner, and is identified by Tax Map# 22-((A))-15A, consists of 5 acres with an existing house that was built in 1992. There are no remaining DUR's.

The parcel is zoned AOC and is not eligible for use value taxation, in accord with the Commissioner of Revenue, therefore a donation may be considered if it meets at three of the four following criteria:

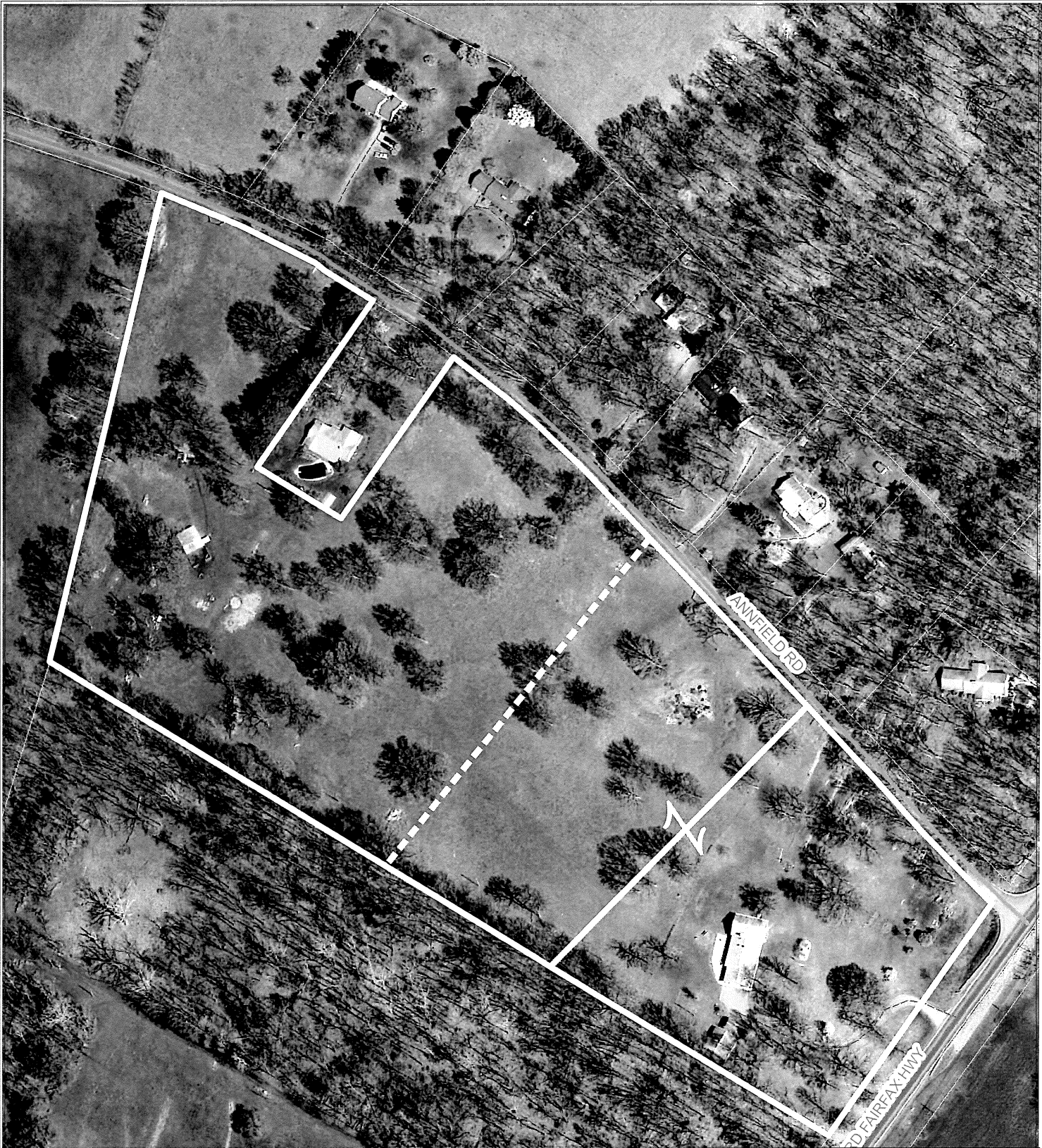
- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) it is adjacent to another easement;
- 4) the parcel offers protection of a locally significant natural or historic feature, as determined by the Easement Authority.

The property currently meets one of the criteria as the property resource score was over 35. The score was 48.49, with points being given for frontage on a state designated scenic byway (Annefield Rd.) and a primary highway (Route 340). A small section is within the groundwater recharge area, and it has been owned by the Tavenners since 1976 (nearly 40 years). The property will meet a second criteria when the adjacent property described above is placed in easement. A third criteria that could be considered is the prominent location of being on the corner of a scenic byway and a primary highway,

Both properties are recommended for easements in order to allow the boundary line adjustment.

### **Recommendation**

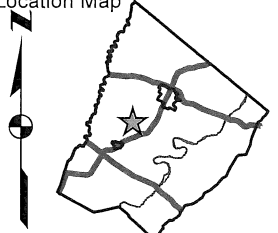
Give preliminary approval for the easement purchase and donation and schedule a site visit.



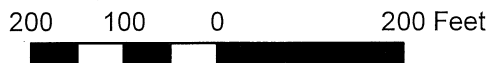
**Larry & William Tavenner**  
 Tax Map# 22-((A))-15, 16 acres  
 2 remaining DURs

**Larry & Linda Tavenner**  
 Tax Map# 22-((A))-15A, 5 acres  
 1 ext. house

Location Map



Clarke County GIS  
 June 18, 2015



- Parcel Boundary
- Intermittent Stream
- Perennial Stream
- Public Road
- Private Road

Aerial Imagery 2011 Commonwealth of Virginia