



Memorandum

To: VOF Board of Trustees
From: Martha Little, Deputy Director
Date: February 26, 2024
Re: Proposed Easement Assignment from VOF to Clarke County Easement Authority (CCEA)

VOF Easement Project 47, currently owned by the Bryant family, consists of ~41 acres placed under easement in 1976. The owner and Clarke County, via their Easement Authority, has requested assignment of the easement to facilitate adding ~60 acres from a proposed, adjacent CCEA easement property. The CCEA will use the opportunity to also update the existing VOF easement to the CCEA's most recent easement template that includes building envelopes and impervious cover limitations on an easement of ~100 acres.

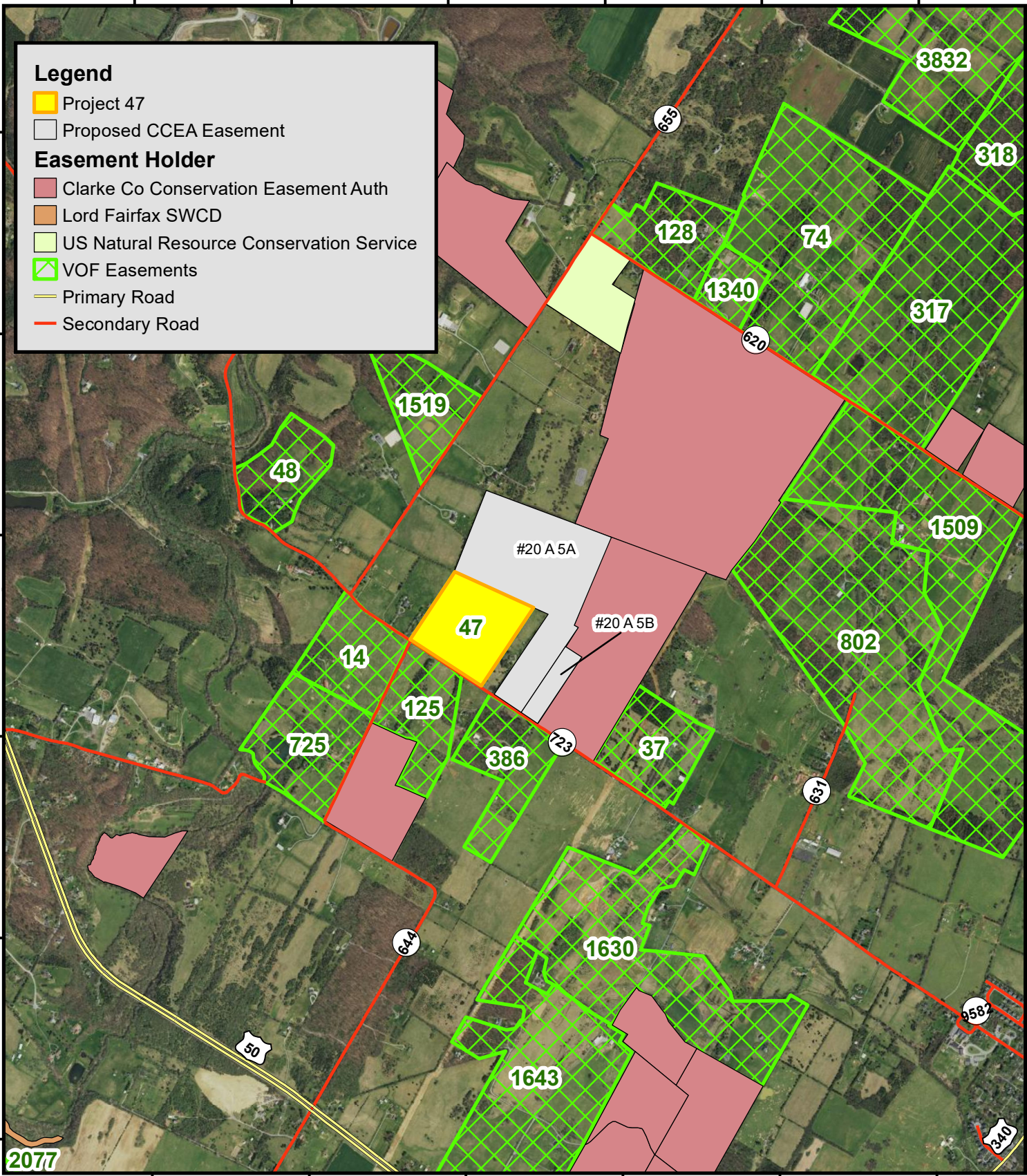
The VOF assignment policy concludes that VOF may assign its interest in an easement if the proposed holder is another state agency or a locality as these entities also hold easements under the Open Space Lands Act. Clarke County is a local government and therefore holds easements under the Act. In addition, the policy requires that the VOF Board of Trustees (BOT) approve such assignment.

VOF staff have reviewed the request, the existing easement and the ultimate outcome and have concluded that the assignment to CCEA is a good option to ultimately achieve better land conservation. Per the draft resolution, staff requests approval of the assignment by the BOT.

78°6'30"W 78°6'0"W 78°5'30"W 78°5'0"W 78°4'30"W 78°4'0"W

39°8'0"N
39°7'30"N
39°7'0"N
39°6'30"N
39°6'0"N
39°5'30"N

39°8'0"N
39°7'30"N
39°7'0"N
39°6'30"N
39°6'0"N
39°5'30"N



Legend

- Project 47
- Proposed CCEA Easement

Easement Holder

- Clarke Co Conservation Easement Auth
- Lord Fairfax SWCD
- US Natural Resource Conservation Service
- VOF Easements
- Primary Road
- Secondary Road

Projection: Lambert Conformal Conic
 GCS North America 1983
 Datum: D North America 1983

Map created 2/13/2024 by Becca Budrock.
 Source data provided by VOF, VDOT, VMBP Imagery.
 Non-VOF Easement boundaries acquired from DCR.
 Proposed CCEA Easement parcel boundaries obtained from Clarke County MapsOnline.
 Aerial imagery acquired 2022.
 Aerial imagery © Commonwealth of Virginia.
 This map is for informational purposes only.

Project 47
Location Map, Surrounding
Easements, and Proposed
CCEA Easement
40.75 Acres

0 1000 2000 **N**

1:24,000

2 of 5

January 3, 2024

Erika Richardson
Stewardship Manager
Virginia Outdoors Foundation
39 Garrett Street, Suite 200
Warrenton, VA 20186

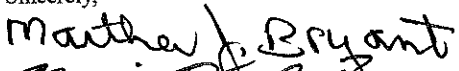
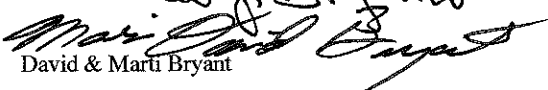
RE: Transfer of Easement – Clarke County TM# 20-A-7

Dear Ms. Richardson:

We currently own the parcel identified by Clarke County Tax Map# 20-A-7. The Virginia Outdoors Foundation holds a conservation easement on the parcel, recorded on December 3, 1976 in Deed Book 120/182 in the Clerk of the Circuit Court office Berryville, Virginia. We are interested in purchasing an adjoining property that will be held in easement by the Clarke County Easement Authority. As a result we would like to request that VOF reassign the current conservation easement to Clarke County.

Let us know if you need any additional information regarding this matter.

Sincerely,



David & Marti Bryant

Clarke County Conservation Easement Authority

540-955-5132 ♦ 101 Chalmers Court ♦ Berryville, Virginia 22611

January 3, 2024

Erika Richardson
Stewardship Manager
Virginia Outdoors Foundation
39 Garrett Street, Suite 200
Warrenton, VA 20186

RE: Transfer of Easement – Clarke County TM# 20-A-7

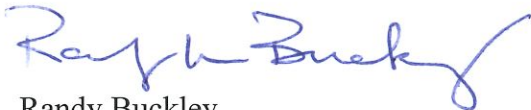
Dear Ms. Richardson:

The Clarke County Conservation Easement Authority requests the Virginia Outdoors Foundation Board reassign the VOF conservation easement for the parcel identified by Clarke County Tax Map# 20-A-7 to the Easement Authority. The original deed of easement was recorded on December 3, 1976 in Deed Book 120/182 in the Clerk of the Circuit Court office Berryville, Virginia.

The request comes as an adjacent property owner is placing land in easement with the County and the current owners of the parcel in question are interested in purchasing a portion of that parcel. In discussions with VOF staff, it was determined that assigning the easement to Clarke will allow for an update of the existing deed and incorporation of the adjacent property.

Let me know if you need any additional information regarding this matter.

Sincerely,



Randy Buckley
Chair, Clarke County Easement Authority





RESOLUTION

VIRGINIA OUTDOORS FOUNDATION (VOF) BOARD OF TRUSTEES RESOLUTION TO ASSIGN A VOF EASEMENT (PROJECT 47) TO CLARKE COUNTY EASEMENT AUTHORITY (CCEA)

WHEREAS, Robert J. McNally, Jr. donated a deed of easement on 41+/- acres, fronting on Old Winchester Road in Clarke County, Virginia to VOF in December 1976.

WHEREAS, Martha and Marvin Bryant purchased the property from a subsequent owner in 2017 and remain the current owners of Project 47.

WHEREAS, the current owner and the CCEA have submitted written requests for CCEA to assume responsibility for the existing VOF easement in order to incorporate land from a proposed, adjacent CCEA easement and to update the existing 1976 easement to a modern template.

WHEREAS, VOF and Clarke County are both public bodies pursuant to the Code of Virginia § 10.1-1700 et seq. (the Open-Space Land Act) and Project 47 is held by VOF under this Act.

WHEREAS, VOF staff reviewed the assignment request and recommend approval as the existing VOF easement is in an area of other CCEA easements and Clarke County is a qualified holder under the Act.

RESOLVED by the Virginia Outdoors Foundation Board of Trustees on this 27th day of March, 2024 that VOF hereby agrees to assign VOF Easement Project 47 to Clarke County.

ADOPTED by a vote of _____ for and _____ against

ATTEST: Brett Christina Glymph, Executive Director