

MEMORANDUM

DATE: August 8, 2006
TO: The Board of Supervisors
FROM: Tamara Mayer Rosario
SUBJECT: Acquisition of Conservation Easements - Tax Parcel No. 1220100008

Mr. Bert E. Geddy, Jr., has agreed upon the terms and value of conservation easements on his property located at 3200 Rochambeau Drive near Anderson's Corner. Also known as the Whitehall Tavern property, the parcel can be further identified as Tax Parcel No. 1220100008. The property fronts both Rochambeau Drive and Old Stage Road and has significant scenic and historic value to the community.

Conservation of this parcel as a farm or rural land, as opposed to intense residential development, will have significant scenic benefits to the Anderson's Corner area. Preservation of the rural landscape immediately surrounding the Whitehall Tavern will contribute to the historic setting most appropriate for the Tavern. This acquisition, in combination with the Colonial Williamsburg parcel and appropriate design of nearby developments, will help maintain the character of the Anderson's Corner area.

As shown on the attached map, two conservation easements will protect 31.64 acres of the 41.42-acre parent parcel. The first conservation easement, labeled "James City County Conservation Easement," is located on 10.967 acres at the northeast corner of the property. Its proposed deed of easement is written in accordance with the Virginia Open-Space Land Act and generally prohibits the construction of residential and commercial uses, signs, earth removal, and accumulation of waste material. The second conservation easement, labeled "FRPP Easement" is located on 20.673 acres and includes the existing historic residence known as Whitehall Tavern and its surrounding buildings. Its proposed deed of easement is written in accordance with the requirements of the Virginia Open-Space Land Act, the United States Department of Agriculture's Farm and Ranch Lands Protection Program (FRPP), and the Virginia Department of Historic Resources. In addition to the general conditions noted above, this deed restricts the location of new buildings and roads, adds historic preservation protections for the Whitehall Tavern and certain surrounding historic buildings, and further limits impervious area. In consideration of the property's future use as a farm, it makes allowances for an apartment-type dwelling contained within agricultural structure and for certain rural enterprises such as a bed and breakfast or commercial horse riding facility. James City County will administer both easements with the expectation that the Virginia Department of Historic Resources will assist or directly administer the historic preservation provisions. The deeds of easement will be subject to approval by the County Attorney.

Mr. Geddy intends to subdivide three home sites for himself and his children with the remaining 9.78 acres of the 41.42-acre parent parcel. As part of the terms of the sale, he has agreed to deed restrictions on the lots which will further protect the scenic values of the Whitehall Tavern property. They include right-of-first-refusal on the lots, variable-width scenic easements, and County approval of the house locations.

The Board of Supervisors previously approved the financial terms of the sale based upon an appraisal of the easement value provided by Simerlein Appraisals, Ltd. The agreed price was \$1,090,000 minus the value of the land in lots and a five-year phased payment schedule. Based upon these terms, the price of the conservation easements will be \$760,072. Because a portion of the property is subject to a FRPP easement, James City County will be eligible to receive \$250,000 towards this purchase.

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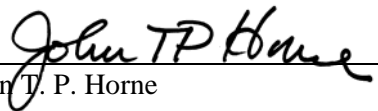
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Staff recommends approval of the attached resolution accepting the offer by Mr. Bert E. Geddy, Jr., to sell conservation easements for the appraised value of \$760,072 and authorizing the County Administrator to execute all documents necessary for completing the acquisition.



Tammy Mayer Kosario

CONCUR:



John T. P. Horne

TMR/gs

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Attachments:

1. Location Map
2. Resolution