



Proposed Sale of Land and Retained Open Space Easement Summary

Board Meeting: July 11, 2012

Staff: Leslie Grayson

Owner/Property Name: Colony/Galbraith Tract	County: Pulaski	Acres: 21.49 (deed and 1959 survey). 20.0115 (2001 survey)
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Property Features and Current Use:

The Property has a southeastern aspect and contains two small rolling pastures of about 5 acres with the remainder of the tract in steeper woodlands. The woodlands consist of oaks, hickories, cherry and maples with some yellow poplar. All timber is of limited value. Several acres of the property are in primary succession with an abundance of Virginia Red Cedar. The property is crossed by an APCO/AEP power line with a 50 foot right of way. There is 1,300 feet of frontage on Old Baltimore Road however only a small area on extreme eastern frontage affords access. The Galbraith/Honaker family cemetery is located on a knoll in southeastern part of property and is maintained by the family. The property is leased to a local farmer for grazing beef cattle.

Statements of Conservation Value, Public Benefit and Supporting Governmental Policy

Conservation/Open Space Values:

- This parcel is located on Old Baltimore Road (approx. ¼ mile of frontage). Old Baltimore Road is now part of the '76 Bikeway, the cross continental bikeway that follows some of the nation's most historic routes linking the two coasts. The property is across the road from the old Red Horse Tavern, which was one of the historic inns along this route. It is within 1 mile of the Draper public access to the New River Trail, a linear rails-to-trails parkway operated as a Virginia State Park and within about one mile of Claytor Lake.
- The property fronts on the Trans-America Bike Trail, a coast-to-coast trail leading from Florence, Oregon to Williamsburg, Virginia, and contributes to the views enjoyed by the biking public.
- Approx. 1/3 of acreage is designated as soils of Statewide Importance
- The property is located in the watershed upstream of the Pulaski public drinking water supply intake on the New River.
- The proposed conditions of the gift would enable VOF to obtain funds for further conservation management work at House Mountain and would prevent this parcel from any further development.

Public Benefit:

- This project would generate funds for further land conservation work on the House Mountain property owned by VOF.
- This property will be protected by an open space easement. It contributes to the rural character of the area and views of users of the '76 Bikeway.

Other Supporting Governmental Policy:

- Local: Consistent with Pulaski County Comp Plan. The Property is zoned A-1, Agricultural and is designated as "Conservation" on the Future Land Use map. None of the soils on the property are identified as being well suited for most forms of development, including installation of septic drain fields.
- State: State policy or program supported. The 2007 Virginia Outdoors Plan identifies Old Baltimore Road as the Bike Route 76 and potential connector for the New River Trail.

Proposed Terms of Sale and Retained Easement:

The Property was gifted to VOF in September of 2002. The gift included a condition that the Property must be offered to adjacent landowners for a period of 6 months and if sold shall be subject to a VOF easement preventing residential use. If not sold to a neighbor within 6 months, the property could be offered to the public subject to a VOF easement permitting only one house not visible from New River trail.

The neighbors were notified of the offer and conditions. The 6 month time period ended on May 15th. One neighbor has made an offer that meets the appraised value of \$16,000. The conveyance will include a retained open space easement that will include the terms that were described in the 2002 gift.

Easement restrictions described by gift terms and VOF template to be placed on the 21 acre parcel when sold

- No division
- No dwelling
- Farm buildings or structures not to exceed 3 in number or 1,000 square feet in ground area each without prior written approval of VOF.
- Standard VOF sign and trash clause.
- Reserved right of ingress and egress to Galbraith Family graveyard together with the right for Galbraith family members to be buried in the cemetery.

Conformance with Strategic Plan and VOF easement Guidelines: (The basis of Staff Recommendation)

This project would further Strategic Plan goals adopted by VOF Board. One of the identified goals under Land Conservation Priorities is - **Pursue land donations and acquisition opportunities that serve Commonwealth and VOF goals, including new conservation lands and trade lands.**

The open space easement will meet VOF guidelines.

Staff Recommendation: Approve As Presented: Approve Subject to Suggested Changes: Deny:

Recommend sale of the property to neighbor at appraised value. Retain open space easement in perpetuity as agreed in original gift and to best protect conservation values of property. Agree to sale and dedicate proceeds from resale to House Mountain project as adopted by Board resolution of April 2011.

Variation from Deed Template:

VOF has drafted a deed of conveyance and retained easement. The easement language is partly dictated by the terms of gift.

Further Discussion:

The neighbor is family relation to the three Galbraith sisters that donated the land to VOF. The VOF property was owned by her great grandmother and great grandfather. And was part of a larger tract that contained the Red Horse Tavern. She owns 13.5 acres adjacent to this tract and across the road with the old tavern.

# of Existing Dwellings: 0	Total # Dwellings Allowed: 0
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Existing Principal Buildings: List size and describe location in terms of public visibility.

One small dilapidated shed located in southeastern corner of property.

Conservation Purpose (DCR Criteria) N/A		Additional Information	Yes	No
Agricultural Use	<input checked="" type="checkbox"/>	Riparian Buffer Zones:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Forestal Use	<input type="checkbox"/>	Rare species and/or Karst:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Habitat and Biological Diversity	<input type="checkbox"/>	Possible Conflict with VDOT/Rail/Utility Plans:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Preservation	<input type="checkbox"/>	In Chesapeake Bay Watershed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural-Resource Based Outdoor Recreation or Education	<input type="checkbox"/>	Notes: No surface water on property		
Watershed Protection	<input type="checkbox"/>			
Preservation of Scenic Open Space	<input checked="" type="checkbox"/>			
Conservation and Open Space Lands Designated by Local Government	<input type="checkbox"/>			

Last Site Visit Dates: June 7, 2012		Site Visit Staff: Ruth Babylon		
Maps in File:	Topo: <input checked="" type="checkbox"/>	Tax: <input checked="" type="checkbox"/>	Survey/Plat: <input checked="" type="checkbox"/>	Aerial: <input checked="" type="checkbox"/>

Lienholder: none	Title Report: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Not Yet <input type="checkbox"/>	County Notified: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
		Contact: John Spangler 4/2011 email Shawn Utt 6/22/2012 phone
Legal Description in Draft Deed: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
If NO, explain why		

Tax Map or PIN:	Acreage:
98-2-4	21.49 acres

Location: This parcel is located on the north side of Old Baltimore Road (Rte. 654) approximately 1 mile SW of Draper and approx. 1 mile NW of Claytor Lake and ½ mile from New River Trial.

Directions: Travel south on 81 to Exit 92 (Draper). Turn left or north on Old Route 100 toward Draper; left on Greenbrier; right on Old Baltimore Road. Property is on right about 3 miles at intersection with Rte 658 (Delton Road).

Owner Mailing and Property Addresses:	Phone/Fax/Email:	Additional Contact Info:
Virginia Outdoors Foundation Property address: Old Baltimore Road, Draper, VA		

List Size and Type of Existing Structures: (for BDR)
No structures other than one small shed in poor condition.
With regard to Deed Section 2, Paragraph 2(iv): <i>“The collective footprint of all buildings and structures on the Property, excluding roads, shall not exceed 1% of the total area of the Property...”</i>
1% of total area of property (20 ac) = 8,712 square feet footprint

Mapping Information (for BDR):
Map created using metes and bounds description and 2001 survey. Polygon created 2008 by R. Walker MCF: A
Notes (for BDR):

Secondary Considerations

Threat Level Considerations:

- *This area of Pulaski County near Claytor Lake has been subject to moderate development pressure for residential growth in the past however the economic downturn has had further negative impact on the real estate market.*
- *It is unlikely that the property would be converted to any other use other than residential due to the soil constraints.*

Project's Readiness:

- *Neighbor is ready to proceed pending VOF board approval.*
- *No title problems, mineral rights, or other issues known.*
- *Bank loan or cash payment pending receipt of anticipated funds from other source.*

Conclusions from Stage 1 Review Team:

- Proceed**
- Proceed with conditions**
- Do not proceed at this time**

Conclusions from Stage 2 Review Team (Regional Board Mtg)

- Consent Agenda for Board Meeting**
- Needs discussion at Board Meeting - to explain the proposed sale and terms of original gift.**
- Not ready for full Board review**

80°47'0"W 80°46'30"W 80°46'0"W 80°45'30"W 80°45'0"W 80°44'30"W



37°0'30"N

37°0'0"N

36°59'30"N

36°59'0"N

36°58'30"N

36°58'0"N

37°0'30"N

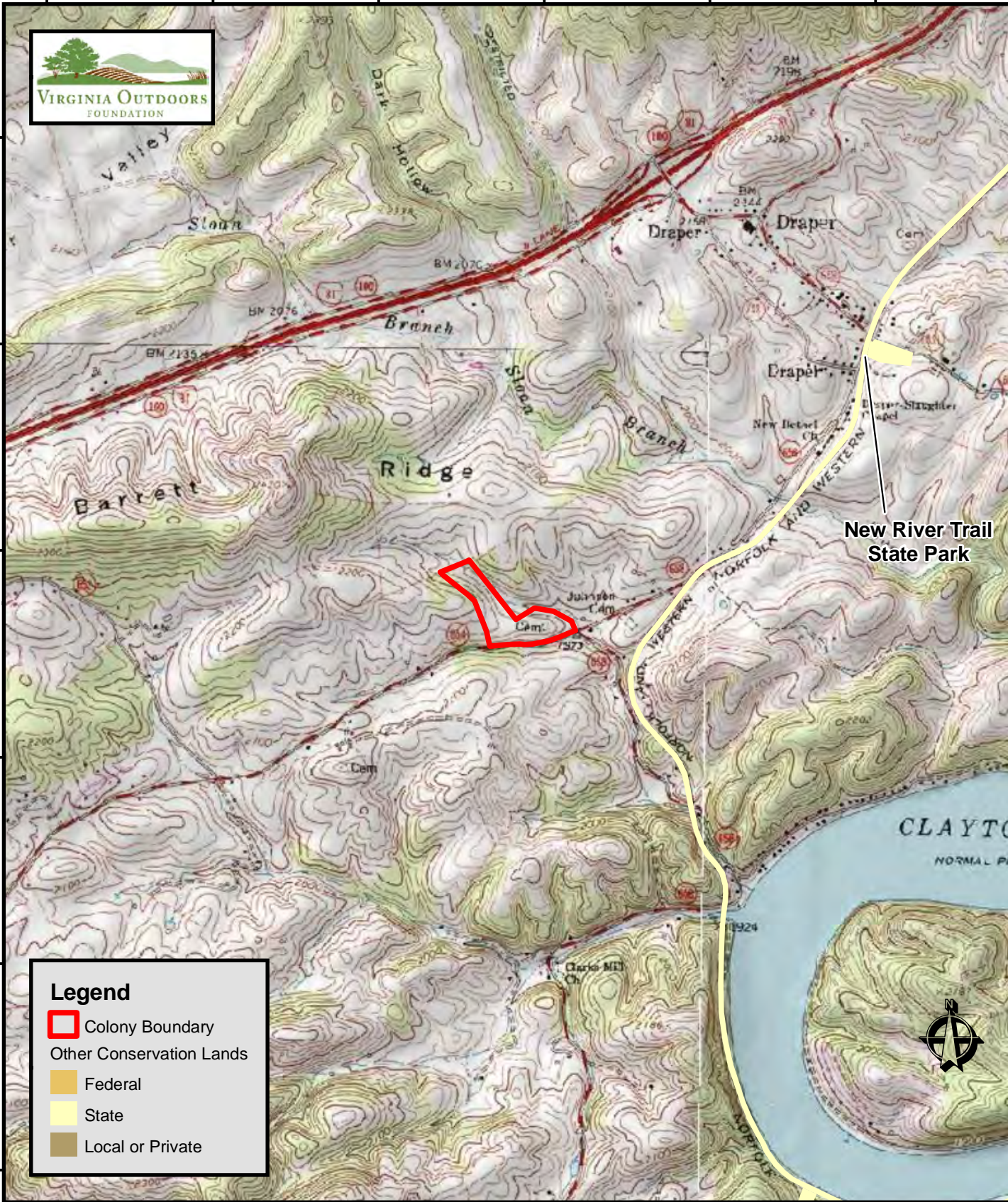
37°0'0"N

36°59'30"N






36°59'0"N

36°58'30"N

36°58'0"N



Legend

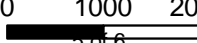
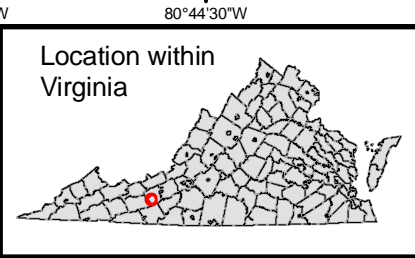
-  Colony Boundary
-  Other Conservation Lands
 -  Federal
 -  State
 -  Local or Private



1:24,000
 Datum: D North America 1983
 Map created 06/04/2012 by VOF - D. Morton
 Source data: TopoMap - USGS/NGS - VGIN
 Map Service: County Boundaries - US Census;
 Property Boundry - VOF; Conserved Lands - VaDCR;
 USGS Quadrangle: Foster's Falls
 This map is for general reference and display purposes only.
 VOF July 2012 Sale Parcel

Topographic Map
Colony ~ 20 Acres
 Pulaski County

0 1000 2000
 Feet


80°45'30"W





36°59'30"N

36°59'30"N



Legend 

-  Secondary Road
-  Colony Boundary

80°45'30"W

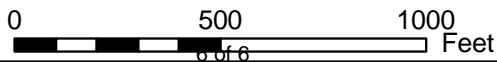
Datum: D North America 1983

Map created 06/04/2012 by VOF - D. Morton
 Source data: Aerial - VGIN- VBMP 2011-
 Map Service; Roads - VDOT/VGIN;
 Property Boundary - VOF;

This map is for general reference and display purposes only.

VOF July 2012 Sale Parcel

Aerial Image - Spring 2011
Colony ~ 20 Acres
Pulaski County



Location within Virginia

