

information in this document below was
vided by Sam Canode with input also from
ty Givens & Jennifer Rowan.



Easement Summary
Board Meeting Date: 10/30/2012
Staff: Josh Gibson

Owner/Property Name: CANODE, SAM and CONNIE (siblings)	County: Craig	Acres: +/- 304
Property Features and Current Use:		
<p>The property is located in a rural section of Craig County, in a historical agricultural community. The farm has been in on family for several generations and is currently used for timber management and as a beef cattle operation.</p>		
Statements of Conservation Value, Public Benefit and Supporting Governmental Policy		
<p><u>Conservation/Open Space Values:</u></p> <ul style="list-style-type: none">• Property contains valuable working forest and agricultural land• The property is visible from an adjacent public road• The property drains to an area rich with karst topography including caves, sinkholes, “sinking streams”, and rare communities associated with caves and karst topography.• The property is located adjacent to George Washington and Jefferson National Forest• Property preserves land in Chesapeake Bay watershed• The property contains productive timber land classified as “high priority conservation area” by the Virginia Department of Forestry• The Property drains to Meadow Creek, an eventual tributary of the James River, a significant waterway within the Chesapeake Bay watershed and a public drinking water supply for the City of Richmond. <p><u>Public Benefit:</u></p> <ul style="list-style-type: none">• Conservation of a productive hay and cattle farm and actively-managed timberlands• Protects water quality on a stream upstream from native trout habitat by limiting development and by providing buffers• Protects the scenic view to the traveling public from State Route 624, providing pastoral views of the rural countryside and affording scenic enjoyment to the public traveling this road• Protects productive agricultural and forestal lands with 28 % of the soils thereon having been classified as Soils of Statewide Importance and/or Prime Agricultural Soils by the Natural Resources Conservation Service of the United States Department of Agriculture, and protection of the Property helps promote the vitality of agriculture in the region.• Expands the open space values of other protected lands in the vicinity (including Jefferson National Forest and VOF-held open space easements)• The Property drains to Meadow Creek, an eventual tributary of the James River, a significant waterway within the Chesapeake Bay watershed and a public drinking water supply for the City of Richmond. <p><u>Other Supporting Governmental Policy:</u></p> <ul style="list-style-type: none">• Local: Consistent with Comp Plan goals to “help preserve important watersheds” and “maintain low density of settlement of these areas”• State: Supports Governor McDonnell’s goal to permanently protect 400,000 acres by 2014.		

- Federal: Supports federal Executive Order 13508 (5/19/09) strategy to permanently protect two million acres in the Bay watershed by 2025.
Supports Chesapeake Bay Program goals for permanent land conservation in the Bay watershed.

Easement Terms:

Division of Land: 2 parcels (one division)

Dwellings: 3 dwellings; 11,000 sf aggregate; 4,500 limit individually with Grantee's prior review and written approval above 4,500 sf)

Non-residential outbuildings: standard

Farm buildings: standard (need Grantee's prior review and written approval for expansion above 4,500 sf)

Building location: no buildings larger than 500 square feet in ground area nor or structures larger than 500 square feet in ground area shall be constructed above the 2,700-foot contour elevation (without Grantee's prior review and written approval)

Commercial and Industrial Uses: standard (w/ small addition for hunting rights; see variation from template)

Forestry: standard

Grading, Blasting, and Mining: limited oil and gas rights retained

Stream buffer: 50-ft stream buffer on intermittent stream (none show as perennial on topoquad)

Collective Footprint: 1%

Conformance with Guidelines:

Conforms to guidelines with respect to divisions and dwellings

Staff Recommendation: Approve As Presented: ☒

Variation from Deed Template:

BUILDINGS

(iv) To protect the scenic values of the Property, no buildings larger than 500 square feet in ground area nor or structures larger than 500 square feet in ground area shall be constructed above the 2,700-foot contour elevation as shown on the Looney USGS Topographic Quadrangle Map without Grantee's prior review and written approval, which approval shall take into consideration the impact of the size, height and siting of the proposed building or structure on the scenic conservation values of the Property.

(g) temporary or seasonal outdoor activities or events ("activities") that do not permanently alter the physical appearance of the Property and that do not impair the conservation values of the Property herein protected, except that such activities involving 100 or more people shall not exceed seven consecutive days unless Grantee gives its prior written approval of such activities, which approval shall take into consideration the number of people involved, the duration of such activities, and any other aspects thereof that may have an impact on the conservation values being protected herein. Approval may be subject to the requirement that at the conclusion of the activity Grantor shall restore the Property to its pre-existing condition. **Hunting or the leasing of hunting rights (including hunting clubs) as a seasonal outdoor activity is permitted on the Property.**

RIPARIAN BUFFER

To protect water quality, riparian buffer strips shall be maintained as follows:

A 50-foot buffer strip shall be maintained along each edge of the intermittent streams on the Property (including Meadow Creek) which are shown as broken blue lines on the Looney USGS Topographic Quadrangle Map and as measured from the tops of the banks, **and excluding the Riparian Buffer Exception Area as shown on SCHEDULE B attached hereto and made a part hereof.**

(ii) Notwithstanding the foregoing, permitted within the buffer strips, subject to any applicable laws and regulations, are (a) erosion control or restoration, enhancement, or development of ecosystem functions on the Property as permitted and limited under Section II, Paragraph 3 (i)(f) above, (b) fencing along or within the buffer strips, (c) construction and maintenance of stream crossings (including improvements over the buffer strips to access crossings **and the utilization of pipes, culverts and free span bridging**) for pedestrians, livestock and vehicles, which crossings minimize obstruction of water flow, (d) creation and maintenance of trails with unimproved surfaces, (e) removal of invasive species or dead, diseased or dying trees, (f) minimal removal of individual trees or trees posing a threat to human or livestock health or safety, (g) planting of trees, shrubs, grasses, or other vegetation, (h) **clearing, grading, and** dam construction to create ponds, and (i) diversion of water for agricultural use on the Property.

GRADING <u>Latest retained oil & gas rights language will be included</u>
Further Discussion: Current joint ownership by siblings (inherited home place from parents), but might be placed into an LLC or other arrangement before recordation.

Conservation Purpose (DCR Criteria)		Additional Information	Yes	No
Agricultural Use	<input checked="" type="checkbox"/>	Chesapeake Bay watershed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Forestal Use	<input checked="" type="checkbox"/>	Riparian Buffers:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Natural Habitat/Biological Diversity	<input type="checkbox"/>	Rare species/Karst: DNH Rec:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Historic Preservation	<input type="checkbox"/>	Possible Conflict with VDOT/Rail/Utility Plans:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural-Resource Based Outdoor Recreation or Education	<input type="checkbox"/>	Notes: There are approximately ____ linear feet of forested/vegetated riparian buffers on the _____.		
Watershed Preservation	<input type="checkbox"/>			
Preservation of Scenic Open Space	<input checked="" type="checkbox"/>			
Conservation and Open Space Lands Designated by Local Government	<input type="checkbox"/>			

Lien holder: none	Title Report: YES <input checked="" type="checkbox"/>	County Notified: YES <input checked="" type="checkbox"/> Contact: RICHARD FLORA
Legal Description in Easement Draft: YES <input checked="" type="checkbox"/>		

# of Existing Dwellings: 1		Total # Dwellings Allowed: 3			
DWELLING	Size (sq. ft. footprint)	Photo Station Photo #	On site?	In county records?	Source (
Dwelling			<input type="checkbox"/>	<input type="checkbox"/>	

Structure type/description	Size (sq. ft. footprint)	Photo Station Photo #	On site?	In county records?	Source (
Shed			<input type="checkbox"/>	<input type="checkbox"/>	
Spring house			<input type="checkbox"/>	<input type="checkbox"/>	
Barn			<input type="checkbox"/>	<input type="checkbox"/>	
Others?			<input type="checkbox"/>	<input type="checkbox"/>	

The buildings and structures on the property represent approximately _____ square feet of impervious surface. 1% of total area of property (3.04 ac.) = 132,422.4 square feet of impervious surface allowed.

Visibility of Existing Principal Buildings: In house and farm buildings visible from public road
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Conclusions from Stage 2 Review Team (Regional Board Mtg) <input checked="" type="checkbox"/> Staff recommends favorably with no significant issues

CANODE FARM HISTORY

The Canode Farm is a 304 acre farm located on Meadow Creek in Craig County, Virginia. The farm has been under cultivation for over 230 years and has been owned by the Canode family for over 60 years. The land consists of rolling hills and has about 130 acres of pasture/crop land and about 170 wooded acres. The northern boundary is with the George Washington National Forest, the eastern and western boundaries are with farms of similar makeup, and the southern boundary is with several other wooded tracts.

The farm has a stream called Meadow Creek running through it. This Continental Divide is located on the adjacent farm, approximately one half mile west. Springs on that farm and those on the Canode Farm constitute the headwaters of Meadow Creek. These waters eventually flow into the James River and then into the Chesapeake Bay. The original name of the farm (if it had one) is unknown, but it was named MONT VIEW by the Rowan family (it was also known as the Meadow Creek Plantation in some Rowan documents) and then LAKE PARK FARM by Mason and Coty Canode.

The land where the farm is situated was settled by the Givens family and others in the late 1700's. This group was of Scotch-Irish descent and settled in the area together due to a religious movement known as "Back to the Bible" which later became the Christian Church, or Disciples of Christ.

In 1782 and 1783 there were Land Office Grants to Daniel Givens for tracts of this land.

Daniel Givens built the one story log cabin on the farm around 1820 at the site of the old farmhouse. There may have been another or other cabins prior to that time. The cabin was upgraded with a second story around 1843.

The Givens family lived on the farm until around 1857, at which time it was sold to the Rowan family. Around this time, the house was "improved" with the addition of a second wing, a mirror image of the first part. The breezeway

between the two sections was enclosed and stairs to the second story were added. Bricks were hand made on the site for the chimney and other fixtures in the new wing.

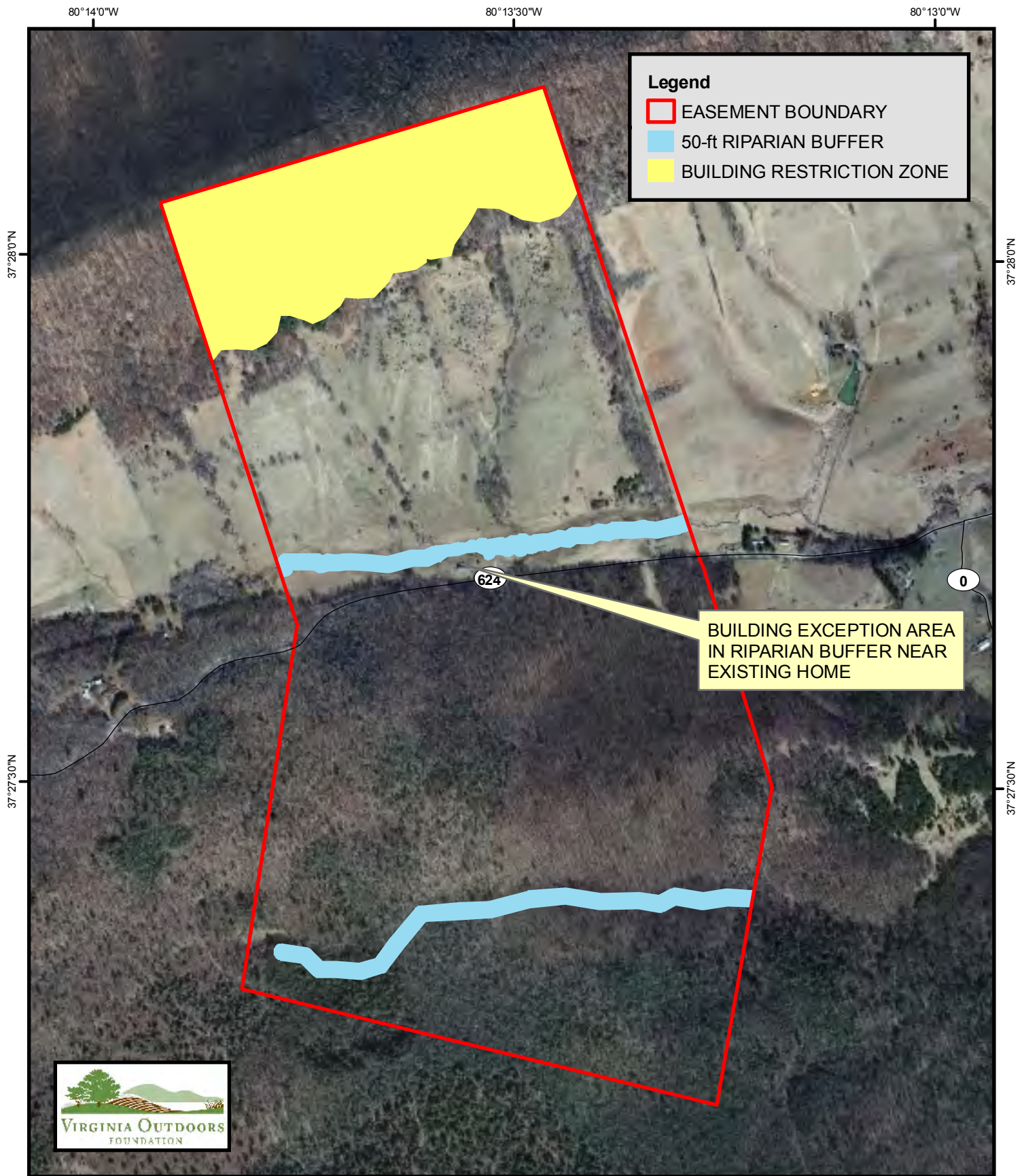
A kitchen wing was added to the rear and two limestone chimneys with fireplaces were added either before or after the second wing. One of the limestone chimneys was constructed by Daniel's grandson James in 1857.

The farm remained the property of the Rowan family for the next 90 years. The Rowans raised race horses and constructed a race track complete with pond and grandstand on the parcel on the south side of the highway. The pond remains today, but little evidence of the racetrack can be seen.

Mason and Coty Canode moved to the farm in 1946 and purchased it from the Rowan family. They lived in the old farmhouse and raised two children, Sam (1948) and Connie (1953) there. They built a new brick ranch house near the highway and moved into it in 1957. Mason lived there until his death in 1982 and Coty lived there until declining health required her to move out in 2002. The farm remains the property of Sam and Connie Canode with plans to pass ownership on to their children Alan Canode and Brett Buckland.

Hurricane Hugo blew the roof off the old farmhouse in 1989 and the family did not have the desire to have it repaired. The house, plus the large barn built of hand-hewn beams, were sold to a log cabin reclamer. The house was disassembled and rebuilt in Troy, Montana and stands there today. The barn was disassembled and moved to Mississippi as a studio.

The Canode family desires that this farm remain in much the same condition that it has existed in for the past 200 years and therefore wish to have it put into a Conservation Easement.



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

Map created 10/20/20120 by JCG
Source data provided by USGS Looney Topoquad
Aerial Imagery © Commonwealth of Virginia
This map is for general reference and display
purposes only.

VOE Oct 2012 Land Conservation II

SPECIAL CONDITIONS
CANODE - 304 Acres
Craig County
Site Visit Date: 8.14.12 &

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0 Feet 750
375
1:9,000

