

# Information Packet

Alleghany County, Virginia

## *Magnificent County Estate*

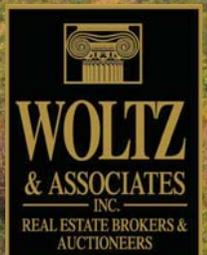


**364 Acres • 2+ Miles of Potts Creek • Renovated Farmhouse  
Multiple Streams • Joins National Forest**



**Property Address:  
3708 Llama Drive  
Covington, VA 24426**

**David Boush, Associate Broker  
Jim Woltz, President  
540.342.3560  
woltz.com**



## SUBJECT PROPERTY DESCRIPTION

This magnificent farm is located on State Route 18 in the picturesque section along Potts Creek Valley in Alleghany County, Virginia. The property has 388± acres comprised of a total of eight different tax parcels. The landscape offers a good mix of rolling pastures and hardwoods, moderately sloping topography and boasts four streams that traverse the property. There are 2.5 miles of frontage along the scenic Potts Creek. Other streams include Cast Steel Run, Blue Spring Run, and Incline Hollow Run. All streams are listed by the DGIF as trout streams except Incline Hollow Run. The elevations of the property range from 1200 feet to 1700 feet above sea level.

Improvements include a 2400 SF one and half-story farmhouse with four bedrooms and two and one-half baths. The main level includes a master bedroom with an attached full bath, living room, foyer with half bath, formal dining room, full kitchen, and parlor. There is a sitting room with a walkout screened in porch on the wing of the home that was once the medical office of the former owner. Throughout the home are beautiful hardwood and pine flooring. The upper level includes three large bedrooms and two full baths. The home is heated and cooled with multiple Mitsubishi Mini-Split units. Additional features include a wrap-around covered porch with long mountain views, a small enclosed porch, and cellar area as well. The roof is standing seam metal with galvanized aluminum gutters and downspouts. The home is served by well and septic.



Additional outbuildings include a detached garage, 20'x25' taxidermist shop building, 40'x50' frame barn, blacksmith shop, granary, chicken house, and other utility buildings. Some of these structures are in need of some repairs. There is a steel bridge that was constructed in 2007 to cross over Potts Creek. There is an abundance and variety of wildlife throughout the entire property, as well as, excellent fishing in the multiple creeks that run through the property.





The property is within an hour drive to the renowned resorts of The Homestead, Hot Springs, Virginia and The Greenbrier Resort in White Sulphur Springs, West Virginia.

This property offers exceptional recreational and farming opportunities in a picturesque setting. The property is zoned AR (Agricultural Rural Residential District) and allows for a mix of rural residential and agricultural uses.

## PROPERTY HISTORY

The farm was originally comprised of a 150-acre land grant to Christopher Persinger, a Revolutionary War veteran, on July 16, 1791. Persinger constructed the original log home in the 1790s. In 1916, Persinger's great-granddaughter, Clarissa Persinger Carter and her husband Dr. Benjamin Lewis Carter did extensive renovations to the log home and transformed it into the present farmhouse. Dr. Carter utilized one room of the farmhouse for his medical practice for most of the 52-year medical career as a local physician.

<b>Prop Type:</b> Residential - Detached		<b>Address:</b> 3708 Llama DR , Covington , VA 24426				
	<b>ML #</b>	864315	<b>Status</b>	Active		
	<b>List Price</b>	\$ 1,500,000	<b>Subdivision Map</b>			
	<b>Style</b>		<b>Lot</b>	0		
	<b>Year Built (seller)</b>	1915	<b>Block</b>	0		
	<b>Construction Status</b>	Completed	<b>Section</b>	0		
	<b>Total Acreage</b>	364.04	<b>Zoning Code</b>			
	<b>Lot Dimensions</b>		<b>Tax ID</b>	07100-00-000-0210		
	<b>Municipality</b>	Alleghany County	<b>Annl Taxes</b>	\$ 2,037		
	<b>Listing Type:</b> Exclusive Right to Represent Seller					
	<b>Area:</b> 2700 - Alleghany County					
<b>Subdivision:</b> N/A						
<b>Phase:</b> 0						

<b>Entry Above Grd Fin SQFT</b>	2,070.00	<b>Upper Above Grd Fin SQFT</b>	400.00	<b>Other Above Grd Fin SQFT</b>	0.00
<b>Total Fnshd SqFt</b>	2470				
<b>Total Bedrooms</b>	4	<b>Basement Y/N</b>	No	<b>Elementary School</b>	Other - See Remarks
<b>Total Full Baths</b>	3	<b>Basement</b>	Crawl Space	<b>Middle School</b>	Other - See Remarks
<b>Total Half Baths</b>	1	<b># Prim Cov Spaces</b>		<b>High School</b>	Other - See Remarks
<b>Prim. Covered Prking</b>	Garage Detached	<b>Add'l Covered Prkng</b>		<b>Uncovered Parking</b>	
<b>Total Cov'd Prk Spc</b>	0	<b># Add Cov Spaces</b>		<b>Uncovered # Spaces</b>	
<b>Water Class</b>	N/A	<b>Water ID</b>		<b>Length of Waterfront</b>	

**Directions:** From Covington, Take Va-18 South for appx 7 miles to right onto Llama Dr and continue a few hundred feet and first driveway to the right.

**Public Remarks:** This magnificent historic country estate is located in the picturesque section along Potts Creek Valley. This pristine property formerly known as the "Carter Farm" has one of the oldest farmhouses in the area (originally a log home built in 1790's). Property includes 364+- acres with over 2 miles of frontage along the scenic Potts Creek. The landscape offers a good mix of rolling pastures & hardwoods, sloping topography & boasts four streams that traverse the property (Cast Steel Run, Blue Spring Run and Incline Hollow Run). DGIF lists all as trout streams except Incline Hollow Run. Improvements include 2400SF 1.5 story farmhouse renovated with 4 bedrooms & 3.5 baths. Beautiful hardwood and pine flooring throughout & new HVAC ductless systems installed. Multiple outbuildings.

**Private Remarks:** Call Agent for Showing Instructions. Buyer or Buyer's agent to verify any and all information. Other tax Parcels include: 07100-00-000-0120(68.46 Ac), A portion not included 24.17 Ac piece E RT 18, 07100-01-000-0210 (lot 21), 0220 (Lot 22), 071C0-02-000-0120 (3.56 Ac), 07100-00-000-0060 (75 Ac), 07100-00-000-0080 (19.9 Ac), 07100-00-000-0090 (219.198 Ac)

<b>Showing Instructions:</b>	Call Listing Agent	<b>Room Name</b>	<b>Room Level</b>
<b>Views:</b>	Mountain; Sunrise; Sunset	Master Bedroom 1	Entry
<b>Construction:</b>	Wood	Bedroom 1	Upper
<b>Heating:</b>	Ductless	Bedroom 2	Upper
<b>Cooling:</b>	Ductless	Bedroom 3	Upper
<b>Fireplace:</b>	# Fireplaces: 1; Den	Kitchen	Entry
<b>Interior Features:</b>	Book Shelves; Ceiling Fan; Other - See Remarks	Dining Area	Entry
<b>Exterior Features:</b>	Barn; Deck; Paved Driveway; Screened Porch; Storage Shed; Other - See Remarks	Game Room	Entry
<b>Appliances:</b>	Dishwasher; Disposer; Clothes Dryer; Generator; Microwave Oven (Built In); Wall Oven; Refrigerator; Range Gas; Clothes Washer	Den	Entry
<b>Misc Features:</b>	Horses Permitted; Paved Road; Satellite Dish; Stream	Laundry	Entry
<b>Floors:</b>	Tile - i.e. ceramic; Wood		
<b>Windows:</b>	Tilt-In		
<b>Exterior Doors:</b>	Wood		
<b>Porch:</b>	Front Porch; Side Porch		
<b>Water Description:</b>	Private Well		
<b>Sewer Description:</b>	PrivSept-permit unkn		
<b>Water Heater Type:</b>	Tank		
<b>Water Htr Energy:</b>	Electric		
<b>Bedrooms:</b>	BR Entry Level: 1; BR Upper Level: 3; BR Lower Level: 0; BR Other Level: 0		
<b>Full Baths:</b>	Full Baths Entry Lvl: 1; Full Baths Upper Lvl: 2; Full Baths Lower Lvl: 0; Full Baths Other Lvl: 0		
<b>Half Baths:</b>	Half Baths Entry Lvl: 1; Half Baths Upper Lvl: 0; Half Baths Lower Lvl: 0; Half Baths Other Lvl: 0		
<b>Limited Service:</b>	Not Limited Service		

<b>Owner:</b> Persinger-Carter LLC 0000000000					
<b>Subagent Authorized</b>	No	<b>Lock Box</b>	Call LA	<b>List Date</b>	10/23/2019
<b>SA Comp</b>	0	<b>Days On Market</b>	8	<b>Cumulative DOM</b>	8
<b>Buyer Agt Authorized</b>	Yes	<b>Yard Sign</b>	Yes	<b>POA/Condo Assoc Y/N</b>	No
<b>BA Comp</b>	4%	<b>POA/Condo Dues</b>	\$ 0	<b>Variable Rate Brkrge</b>	No
<b>Expiration Date</b>	10/09/2020				

LA: DAVID POWELL BOUSH Mobile : (540) 871-5810 Office : david@woltz.com  
 LO: WOLTZ & ASSOCIATES Office : (540) 342-3560 Office : jim@woltz.com  
 Co-LA: JAMES L WOLTZ of WOLTZ & ASSOCIATES Other Phone : (540) 353-4582 Office : jim@woltz.com

*Provided as a courtesy of*  

**David Boush**  
 WOLTZ & ASSOCIATES  
 23 FRANKLIN ROAD  
 ROANOKE, VA 24011  
 Cell Phone - (540) 871-5810  
[david@woltz.com](mailto:david@woltz.com)  
<http://www.woltz.com>

**Persinger-Carter, LLC**

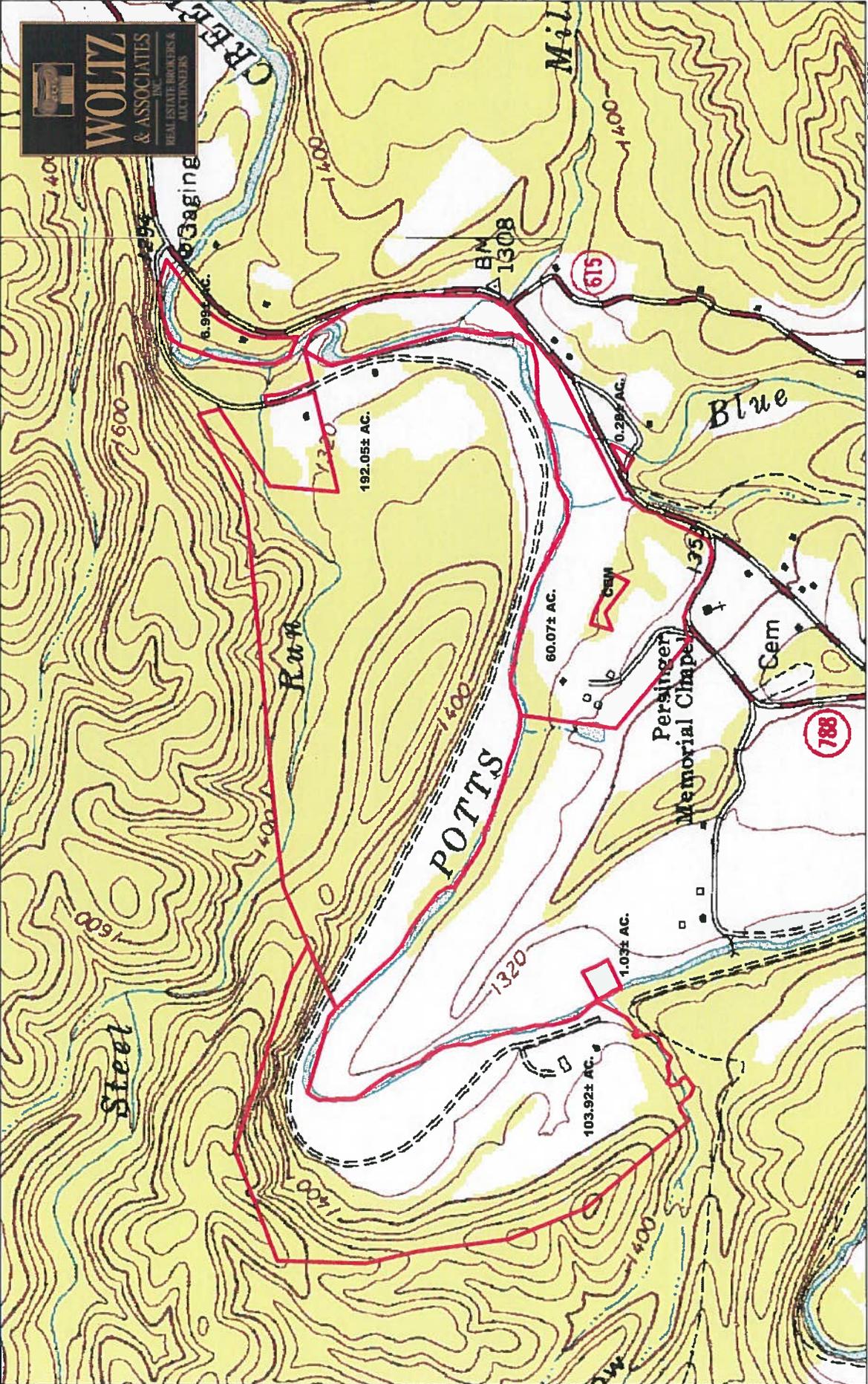
Alleghany County, VA  
Boundaries are Approximate Date: 10/16/2019



**WOLZ**  
& ASSOCIATES

Google Earth

1000 ft



**WOLTZ & ASSOCIATES**  
INC.  
REAL ESTATE BROKERS & AUCTIONEERS

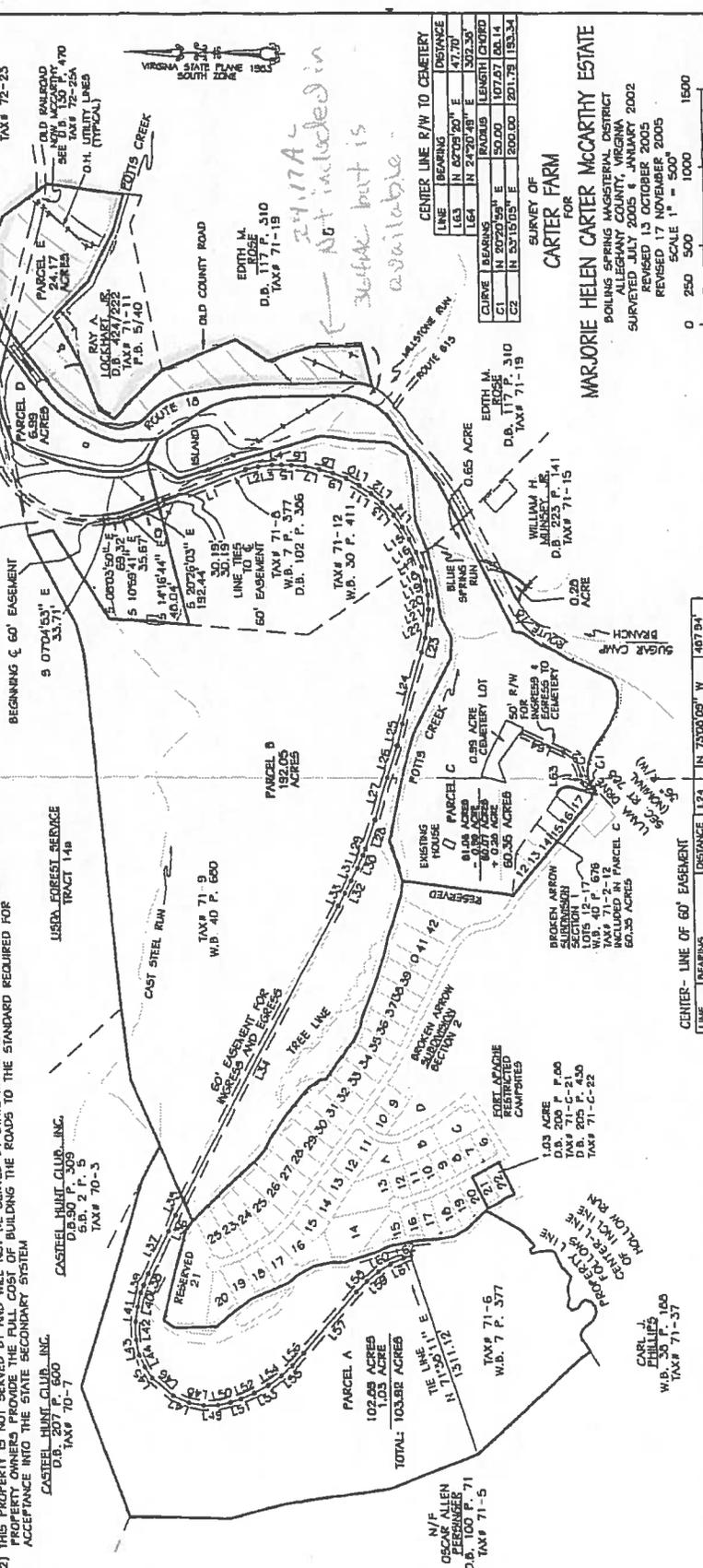


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**Persinger-Carter, LLC**  
Allegheny County, VA  
Boundaries are Approximate Date: 10/16/2019

NOTES

- THIS PLAN WAS DRAWN FROM ACTUAL FIELD SURVEYS AND IS INTENDED TO REPRESENT THAT PROPERTY ACQUIRED BY MARJORIE HELEN CARTER MCCARTHY OF RECORD AS FOLLOWS:  
 TAX# 71-8 : W.B. 40 P.G. 650, D.B. 17 P.G. 713, W.B. 40 P.G. 676, W.B. 19 P.G. 203 & W.B. 30 P. 411  
 TAX# 71-12 : W.B. 30 P.G. 411, D.B. 21 P.G. 601\*  
 TAX# 71-6 : W.B. 7 P.G. 377, D.B. 47 P.G. 636\*  
 TAX# 71-5 : W.B. 12 P.G. 576, D.B. 57 P.G. 622\*  
 TAX# 72-25A : W.B. 40 P.G. 676, D.B. 183 P.G. 622\*  
 TAX# 71C-1-21 : D.B. 200 P.G. 60  
 TAX# 71C-1-22 : D.B. 205 P.G. 430  
 \* SEE ALSO: W.B. 7 P.G. 377, W.B. 40 P.G. 676, W.B. 19 P.G. 203 AND W.B. 30 P.G. 411  
 AND JAMES D. SHADDER, EXECUTOR OF THE ESTATE OF MARJORIE HELEN CARTER MCCARTHY (DECEASED) BY DEED # 050002723
- THIS PROPERTY IS NOT SERVED BY AND WILL NOT BE SERVED BY STATE MAINTAINED ROADS UNTIL SUCH TIME AS THE PROPERTY OWNERS PROVIDE THE FULL COST OF BUILDING THE ROADS TO THE STANDARD REQUIRED FOR ACCEPTANCE INTO THE STATE SECONDARY SYSTEM



OWNER'S CONSENT PROPERTY AS SHOWN ON THIS PLAN IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER/S THEREOF: GIVEN UNDER MY/OUR HAND THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_

NOTARY CLAUSE. COUNTY OF ALLEGANY STATE OF VIRGINIA THE PUBLIC INSTRUMENT WAS DULY ACKNOWLEDGED BEFORE ME THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_

BY \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_ APPROVED: \_\_\_\_\_ SUBDIVISION AGENT \_\_\_\_\_

DEBORAH C. KENNEDY  
WALL BOOK 26 PAGE 303  
SEE D.B. 33 P. 330  
BEGINNING & 60' EASEMENT

EDITH M. ROSE  
D.B. 117 P. 310  
TAX# 71-19

WILLIAM H. MARINNEY  
D.B. 223 P. 141  
TAX# 71-15

ARBER MARROW SUBDIVISION  
SECTION 1  
LOTS 12-17, 26  
TAX# 71-2-12  
INCLUDED IN PARCEL C  
60.30 ACRES

CASTLE HUNT CLUB, INC.  
D.B. 207 P. 600  
TAX# 70-1  
D.B. 207 P. 600  
TAX# 70-5

OSCAR ALLEN FEENEY  
D.B. 100 P. 71  
TAX# 71-5

CARL J. PHILLIPS  
W.B. 30 P. 160  
TAX# 71-37

CENTER LINE R/W TO CEMETERY

LINE	BEARING	DISTANCE
L63	N 62°09'20" E	47.70'
L64	N 24°20'48" E	302.35'
C1	N 20°20'59" E	50.00'
C2	N 53°15'05" E	200.00'

SURVEY OF  
CARTER FARM  
FOR  
MARJORIE HELEN CARTER MCCARTHY ESTATE

BOLLING SPRING MAGISTERIAL DISTRICT  
ALLEGANY COUNTY, VIRGINIA  
SURVEYED JULY 2005 & JANUARY 2002  
REVISED 13 OCTOBER 2005  
REVISED 17 NOVEMBER 2005  
SCALE 1" = 500'

0 250 500 1000 1500  
SHEET 1 OF 4

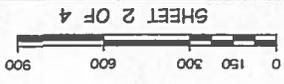


Vess Surveying, Inc.  
138 North Maple Avenue - P.O. Box 1118  
Cowbridge, VA 24486  
phone (540) 966-3000 - fax (540) 966-3870

CENTER LINE OF 60' EASEMENT

LINE	BEARINGS	DISTANCE	L24	N 73°03'04" W	487.84'
L1	S 20°26'03" E	824.26'	L24	N 73°03'04" W	487.84'
L2	S 13°21'18" E	87.89'	L25	N 72°02'02" W	231.67'
L3	S 07°13'07" E	63.17'	L26	N 72°55'12" W	201.92'
L4	S 03°56'37" E	55.30'	L27	N 70°15'57" W	203.40'
L5	S 02°24'16" W	82.17'	L28	N 68°04'47" W	43.93'
L6	S 18°26'03" W	81.50'	L29	N 64°37'18" W	93.63'
L7	S 21°01'18" W	93.15'	L30	N 63°03'44" W	91.95'
L8	S 26°57'63" W	94.86'	L31	N 60°46'39" W	2156.11'
L9	S 33°04'00" W	93.70'	L32	N 57°03'10" W	112.00'
L10	S 30°23'26" W	92.36'	L33	N 54°40'17" W	110.05'
L11	S 26°57'63" W	94.86'	L34	N 52°44'54" W	501.87'
L12	S 23°24'16" W	113.21'	L35	N 50°50'24" W	78.08'
L13	S 20°26'03" W	87.35'	L36	N 49°19'17" W	50.46'
L14	S 17°03'04" W	85.36'	L37	N 47°59'20" E	106.54'
L15	S 13°21'18" E	87.89'	L38	S 46°57'20" E	108.37'
L16	S 09°09'09" E	84.76'	L39	S 45°58'84" E	519.70'
L17	S 05°04'31" W	84.76'	L40	S 44°26'40" E	97.26'
L18	S 01°47'26" W	85.36'	L41	S 42°53'37" E	96.60'
L19	S 00°00'00" W	85.36'	L42	S 41°20'12" E	96.60'
L20	S 00°00'00" W	85.36'	L43	S 39°46'51" E	96.60'
L21	S 00°00'00" W	85.36'	L44	S 38°13'28" E	96.60'
L22	S 00°00'00" W	85.36'	L45	S 36°39'50" W	84.60'
			L46	S 35°05'05" W	176.80'
			L47	S 33°30'57" W	100.91'
			L48	S 32°06'32" E	96.74'
			L49	S 30°42'07" E	93.99'
			L50	S 29°17'42" E	91.25'
			L51	S 27°53'17" E	71.35'
			L52	S 26°28'52" E	106.54'
			L53	S 25°04'27" E	97.95'
			L54	S 23°39'52" E	108.37'
			L55	S 22°15'17" E	519.70'
			L56	S 20°50'52" E	97.26'
			L57	S 19°26'27" E	96.60'
			L58	S 18°02'02" E	96.60'
			L59	S 16°37'27" E	96.60'
			L60	S 15°13'02" E	96.60'
			L61	S 13°48'27" E	96.60'
			L62	S 12°24'02" E	96.60'
			L63	S 11°00'00" E	96.60'

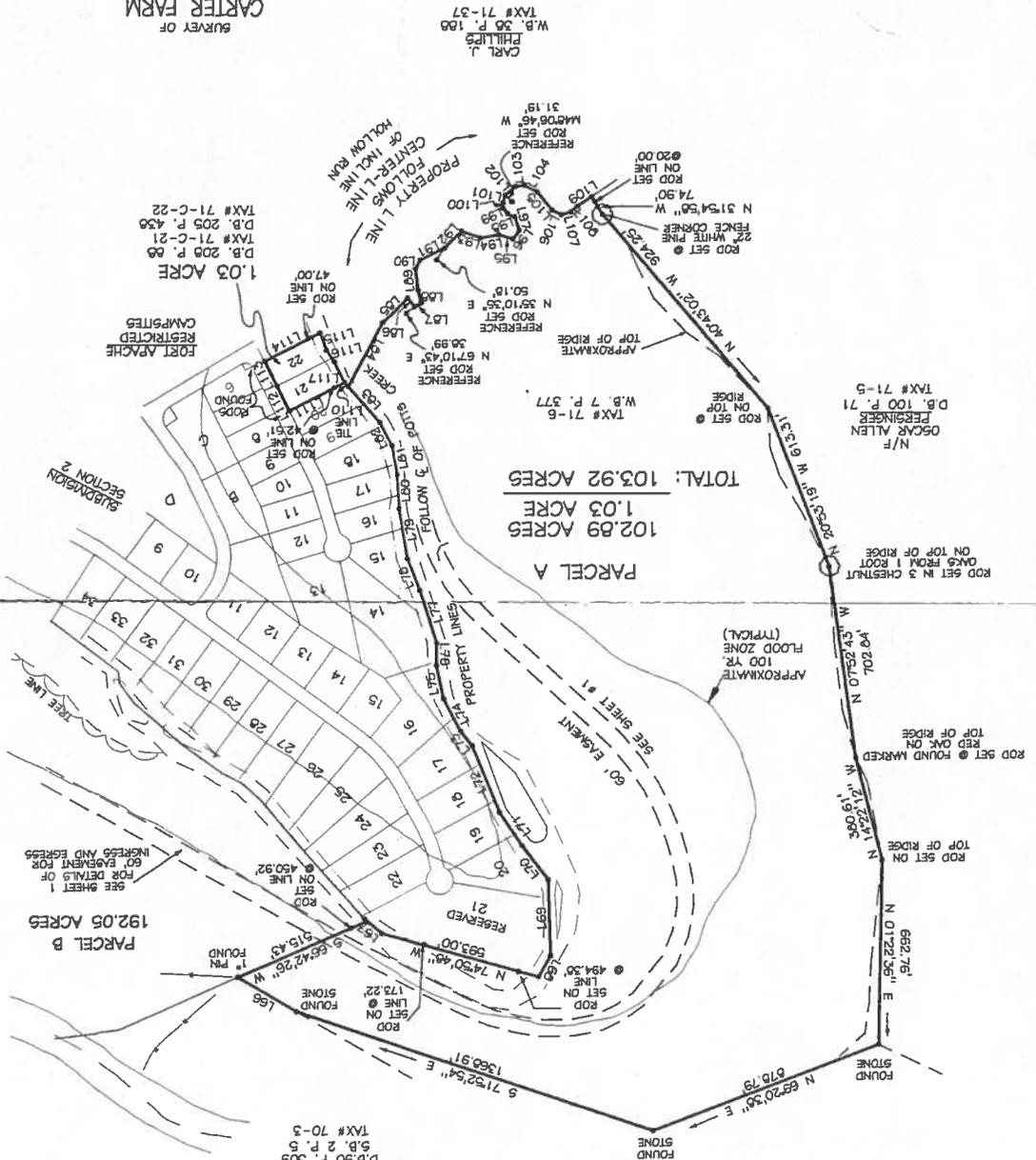
132 North Maple Avenue - P.O. Box 1112  
 Covington, VA 24456  
 phone (540) 968-3900 - fax (540) 968-3870  
 JOB NO. 3005-2  
 SIZE 3  
 REV. 3  
 DWN BY KBY



**CARTER FARM**  
 SURVEY OF  
**MARJORIE HELEN CARTER MCCARTHY ESTATE**  
 BOILING SPRING MANAGERIAL DISTRICT  
 ALLEGANY COUNTY, VIRGINIA  
 SURVEYED JULY 2005  
 REVERSED 13 OCTOBER 2005  
 REVERSED 17 NOVEMBER 2005  
 SCALE 1" = 300'

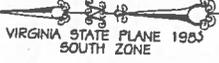


**Vess Surveying, Inc.**



LINE	BEARINGS	DISTANCE
L166	N 60°04'26" E	245.31'
L167	N 50°22'54" W	70.61'
L168	S 30°22'46" W	66.00'
L169	S 01°27'07" E	274.00'
L170	S 37°55'59" E	154.00'
L171	S 34°25'21" E	144.00'
L172	S 22°19'00" E	261.00'
L173	S 30°14'29" E	66.00'
L174	S 27°50'13" E	135.00'
L175	S 11°42'07" E	123.00'
L176	S 00°39'03" W	61.00'
L177	S 17°36'11" E	204.00'
L178	S 21°16'59" E	124.00'
L179	S 09°57'32" E	164.00'
L180	S 03°06'08" E	122.00'
L181	S 09°38'37" E	108.00'
L182	S 29°01'21" E	98.00'
L183	S 41°58'27" E	173.00'
L184	S 20°35'25" W	265.00'
L185	S 47°25'22" W	131.00'
L186	N 40°33'24" W	41.00'
L187	S 59°50'15" W	26.00'
L188	S 12°50'24" E	49.00'
L189	S 07°01'14" E	78.00'
L190	S 20°16'22" W	36.00'
L191	S 64°20'42" W	89.00'
L192	S 45°07'40" W	66.00'
L193	N 70°30'40" W	73.00'
L194	S 60°27'15" W	66.00'
L195	N 73°26'09" W	53.00'
L196	S 37°51'20" W	39.00'
L197	S 16°51'38" E	51.00'
L198	S 65°57'22" E	28.00'
L199	S 40°52'54" E	27.00'
L200	S 01°36'26" W	19.00'
L201	S 13°22'04" W	22.00'
L202	S 50°16'04" W	51.00'
L203	S 61°57'41" W	32.00'
L204	N 62°36'43" W	53.00'
L205	N 39°17'25" W	66.00'
L206	N 64°16'55" W	36.00'
L207	S 73°23'11" W	33.00'
L208	S 48°44'42" W	33.00'
L209	S 56°35'22" W	60.00'
L210	S 41°59'27" E	20.00'
L211	N 65°00'52" E	226.00'
L212	S 26°39'52" E	100.00'
L213	S 26°39'52" E	100.00'
L214	N 27°34'16" W	66.00'
L215	N 27°34'16" W	66.00'
L216	N 35°24'18" W	52.00'
L217	N 26°12'20" W	63.00'

NOTES  
 1) SEE SHEETS 1, 3 AND 4 FOR FURTHER DETAILS AND NOTES



FORMER RAILROAD 60' STRIP  
COMMONWEALTH OF VIRGINIA  
D.B. 72 P. 250

DEBORAH C. WHEKLE KENNEDY  
WILL BOOK 26 PAGE 383  
TAX# 071-00-000-0100  
SEE D.B. 33 P. 320

1) SEE SHEET 1, 2 AND 4 FOR FURTHER NOTES AND DETAILS.  
2) R/S DENOTES RAIL ROAD SET, PF DENOTES PIPE FOUND,  
PK DENOTES PK NAIL SET.

CURVE	BEARING	RADIUS	LENGTH	CHORD
C3	S 26°57'29" E	904.67	149.17	149.00
C4	S 16°53'48" E	914.67	112.99	112.92
C5	S 03°48'05" E	1069.66	206.66	206.50
C6	S 24°28'51" W	437.46	1363.16	371.03
C7	S 79°16'17" W	204.06	179.03	175.36
C8	N 70°20'05" W	367.16	67.41	67.31
C9	N 60°09'05" W	648.75	111.67	111.53
C10	N 67°14'49" W	366.23	153.65	152.52
C11	S 06°51'40" W	199.21	96.45	95.51
C12	S 60°05'04" W	220.26	99.25	98.41
C13	S 72°22'06" W	25.00	50.55	42.37
C14	N 52°15'44" W	587.80	49.32	49.30

CASTLE HUNT CLUB, INC.  
D.B. 90 P. 309  
S.B. 2 P. 5  
TAX# 70-3

FOUND  
D.B. 90 P. 309  
S.B. 2 P. 5  
TAX# 70-3

FOUND  
D.B. 90 P. 309  
S.B. 2 P. 5  
TAX# 70-3

PARCEL D  
6.99  
ACRES

APPROXIMATE  
574.510+00  
P.B. 17, 16, 72 D

APPROXIMATE  
574.510+00  
P.B. 17, 16, 72 D

PARCEL B  
192.05  
ACRES

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

PARCEL A  
103.92  
ACRES

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

PARCEL C  
60.35  
ACRES

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

PARCEL E  
0.28  
ACRE

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

PARCEL F  
0.99  
ACRE

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

PARCEL G  
60.35  
ACRES

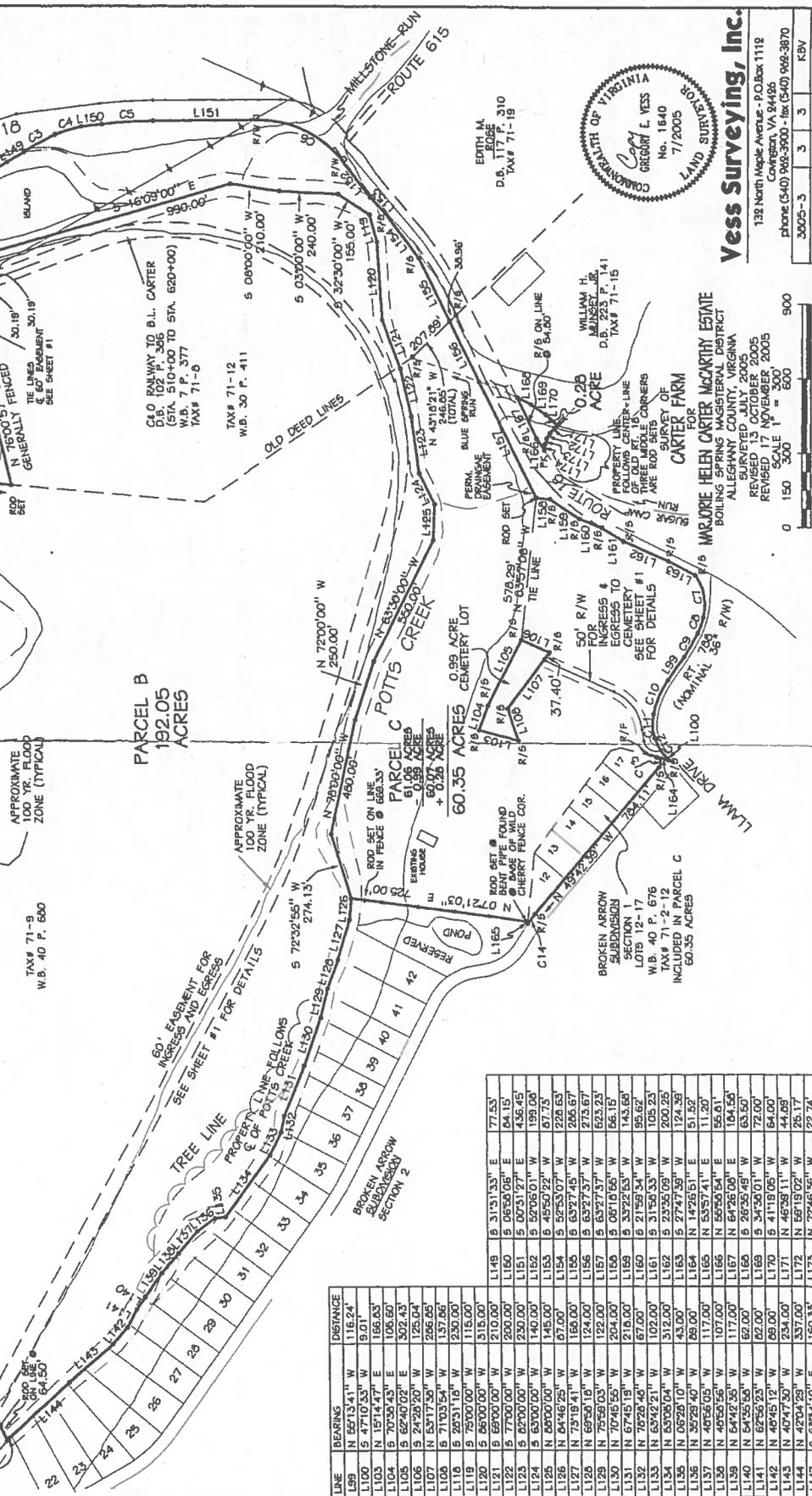
APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

PARCEL H  
60.35  
ACRES

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)

APPROXIMATE  
100 YR. FLOOD  
ZONE (TYPICAL)



**Vess Surveying, Inc.**  
132 North Maple Avenue - P.O. Box 1112  
Covington, VA 24046  
phone (540) 968-9600 - fax (540) 968-8870  
3005-3 3 3 KBV  
JOB NO. SIZE REV. DWN BY

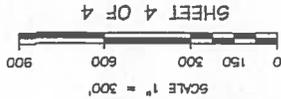
MARJORIE HELEN CARTER MACARTHY ESTATE  
BOILING SPRING MAGISTERIAL DISTRICT  
ALLEGANY COUNTY, VIRGINIA  
REVISED JULY 2005  
REVISED 17 NOVEMBER 2005  
SCALE 1" = 300'  
0 150 300 600 900  
SHEET 3 OF 4

LINE	BEARING	DISTANCE
L99	N 65°15'41" W	116.24
L100	S 47°10'33" W	81.62
L101	N 15°14'43" E	108.63
L102	S 29°40'02" E	302.43
L103	S 29°40'02" E	125.04
L104	S 53°17'56" W	296.65
L105	S 29°40'02" E	137.86
L106	S 29°40'02" E	230.00
L107	S 29°40'02" E	315.00
L108	S 29°40'02" E	210.00
L109	S 29°40'02" E	200.00
L110	S 29°40'02" E	190.00
L111	S 29°40'02" E	180.00
L112	S 29°40'02" E	170.00
L113	S 29°40'02" E	160.00
L114	S 29°40'02" E	150.00
L115	S 29°40'02" E	140.00
L116	S 29°40'02" E	130.00
L117	S 29°40'02" E	120.00
L118	S 29°40'02" E	110.00
L119	S 29°40'02" E	100.00
L120	S 29°40'02" E	90.00
L121	S 29°40'02" E	80.00
L122	S 29°40'02" E	70.00
L123	S 29°40'02" E	60.00
L124	S 29°40'02" E	50.00
L125	S 29°40'02" E	40.00
L126	S 29°40'02" E	30.00
L127	S 29°40'02" E	20.00
L128	S 29°40'02" E	10.00
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L198	S 29°40'02" E	0.00
L199	S 29°40'02" E	0.00
L200	S 29°40'02" E	0.00

JOB NO.	3	REV.	7	STAFF	DWN, BV
3605-4					

132 North Maple Avenue - P.O. Box 1118  
 Chesapeake, VA 23442  
 Phone (540) 968-3900 - Fax (540) 968-3870

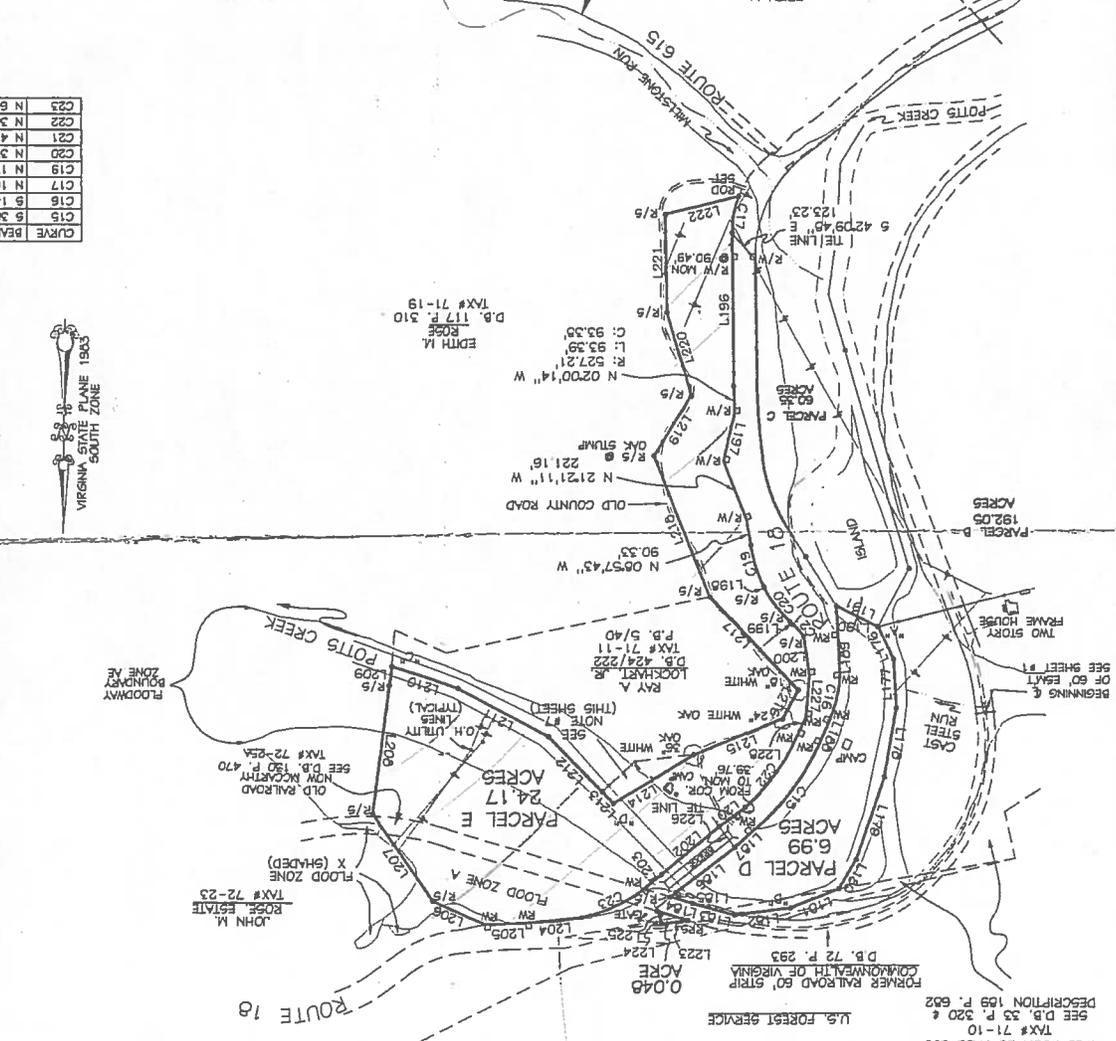
# Vess Surveying, Inc.



**SURVEY OF  
 CARTER FARM  
 FOR  
 MARJORIE HELEN CARTER MCARTHY ESTATE**

BOILING SPRING MAGISTRAL DISTRICT  
 ALLEGANY COUNTY, VIRGINIA  
 SURVEYED JANUARY 2002  
 REVEALED 21 FEBRUARY 2002  
 REVEALED 19 SEPTEMBER 2003  
 REVEALED JULY 2005  
 REVEALED 13 OCTOBER 2005  
 REVEALED 17 NOVEMBER 2005

CURVE BEARING	RADIUS	LENGTH	CHORD
1220 N 24°25'55" E	69.90		
1227 N 04°52'55" E	143.42		
1226 S 37°47'29" E	90.00		
1225 N 73°24'29" W	113.25		
1224 S 21°29'00" E	46.45		
1223 N 83°14'14" E	92.24		
1222 S 78°09'59" W	326.25		
1221 S 00°50'01" E	297.00		
1220 S 16°50'01" E	247.50		
1219 S 32°39'59" W	520.00		
1218 S 21°22'15" E	447.24		
1217 S 43°44'10" E	113.07		
1216 S 29°10'10" W	336.19		
1215 S 60°19'29" W	326.75		
1214 S 59°19'29" W	55.56		
1213 N 44°21'24" W	263.00		
1212 N 44°21'24" W	356.00		
1211 N 61°47'51" W	247.00		
1210 N 72°05'42" W	67.00		
1209 S 07°45'38" W	445.43		
1208 S 07°45'38" W	362.26		
1207 S 24°27'53" E	200.26		
1206 S 66°35'03" E	141.91		
1205 N 67°51'56" E	193.44		
1204 N 64°23'24" E	67.43		
1203 N 52°12'21" E	260.05		
1202 S 51°06'15" E	113.24		
1201 N 54°09'53" W	153.24		
1200 N 47°34'21" W	8.69		
1199 N 27°02'50" W	189.36		
1197 N 15°39'07" W	52.21		
1196 N 00°20'14" W	180.33		
1195 N 63°24'10" W	107.99		
1194 S 02°23'53" E	139.26		
1193 S 24°43'54" W	79.35		
1192 S 48°13'48" W	280.05		
1191 S 53°10'27" W	22.42		
1190 S 52°12'21" E	61.07		
1189 S 73°24'29" E	151.06		
1188 S 72°22'24" E	180.47		
1187 N 83°14'14" E	180.00		
1186 N 69°50'55" E	119.00		
1185 N 31°29'07" E	240.00		
1179 N 19°08'26" E	240.00		
1178 N 01°13'00" E	189.00		
1177 N 02°43'49" W	125.00		
1176 N 29°31'16" E	230.00		
1175 N 29°31'16" E			



**NOTES**

- 1) SEE SHEETS 1, 2, AND 3 FOR FURTHER DETAILS AND NOTES.
- 2) R/S DENOTES ROD SET, P/F DENOTES PIPE FOUND. RES DENOTES RAILROAD SPIKE. R/W DENOTES RIGHT-OF-WAY MONUMENT.
- 3) PROPERTY BOUNDARIES FROM "A" TO "B" CLOCKWISE, AND FROM "C" TO "D" CLOCKWISE, FOLLOW THE CENTER-LINE OF POTTS CREEK. IN DEED BOOK 23 PAGE 320, A 20' RIGHT-OF-WAY WAS RESERVED ACROSS THE PROPERTY CURRENTLY OWNED BY DEBORAH KENNEDY.
- 4) SINCE AN EXACT LOCATION WAS NOT SPECIFIED, THE CURRENT LOCATION FOR THIS RIGHT-OF-WAY IS NOW ASSERTED BY MCARTHY TO BE ALONG THE EXISTING GRAVEL LAKE.
- 5) THE RIGHT-OF-WAY OF ROUTE 18 WAS ESTABLISHED FROM VDOT PLANS AND EXISTING RIGHT-OF-WAY MONUMENTS. NECESSARY ADJUSTMENTS WERE MADE CONSIDERING THE INCONSISTENCIES BETWEEN THE PLANS AND MONUMENTS.
- 6) THIS SURVEY DOES NOT ADDRESS UNWRITTEN RIGHTS.
- 7) APPROXIMATELY 0.4 ACRE AREA INCLUDED WITHIN DASHED LINES OCCUPIED BY MCARTHY AND NOT INCLUDED IN THIS BOUNDARY.

*24.17 AC  
 NOT included  
 But available*

WILLIAM H. MURPHY, JR.  
 D.B. 223 P. 141  
 TAX# 71-15

EDITH M. ROSE  
 D.B. 117 P. 310  
 TAX# 71-19

EDITH M. ROSE  
 D.B. 117 P. 310  
 TAX# 71-19

DEBORAH C. (WELKE) KENNEDY  
 WILL BOOK 26 PAGE 303  
 TAX# 71-10  
 SEE D.B. 33 P. 320 &  
 DESCRIPTION 189 P. 632

U.S. FOREST SERVICE

VIRGINIA OUTDOORSMAN

FOUNDATION

CONSERVATION

EASEMENT

This Document Was Prepared By:  
Woods Rogers PLC (MKS)  
P O. Box 14125  
Roanoke, VA 24038-4125

Tax Map Reference No.: 07100-00-000-0090; 07100-00-000-0120; 07100-00-000-0060;  
07100-00-000-0080; 07200-00-000-025A; 071C0-02-000-0120;  
07100-00-000-015B.

Exempted from recordation tax  
under the Code of Virginia (1950), as amended,  
Sections 58.1-811 (A) (3), 58.1-811 (D) and 10.1-1803  
and from Circuit Court Clerk's fee under Section 17.1-266

THIS DEED OF GIFT OF EASEMENT ("Easement"), made this 12th day  
of December, 2006, between PERSINGER-CARTER, LLC, a Virginia limited  
liability company, herein called the "Grantor," and the VIRGINIA OUTDOORS  
FOUNDATION, an agency of the COMMONWEALTH OF VIRGINIA, the "Grantee," whose  
address is 203 Governor Street, Suite 302, Richmond, Virginia 23219.

WITNESSETH:

WHEREAS, the Open Space Land Act of 1966, Chapter 461 of the 1966 Acts of the  
Assembly, (Chapter 17, Title 10.1, § 10.1-1700 through § 10.1-1705 of the Code of Virginia, as  
amended) declares that the preservation of open-space land serves a public purpose by promoting  
the health and welfare of the citizens of the Commonwealth by curbing urban sprawl and  
encouraging more desirable and economical development of natural resources, and authorizes the  
use of easements in gross to maintain the character of open-space land; and

WHEREAS, Chapter 18, Title 10.1 of the Code of Virginia (§§ 10.1-1800 through 10.1-  
1804, as amended) declares it to be the public policy of the Commonwealth to encourage  
preservation of open-space land and authorizes the Virginia Outdoors Foundation to hold real  
property or any estate or interest therein for the purpose of preserving the natural, scenic, historic,  
scientific, open-space and recreational lands of the Commonwealth; and

WHEREAS, the Grantor is the owner in fee simple of the real property hereinafter  
described (the "Property"); and

WHEREAS, the Property possesses significant scenic, natural, historic, scientific, open-  
space and values (the "Open Space Values"), the preservation of which will benefit the citizens  
of the Commonwealth; and

WHEREAS, the preservation of the Property contributes to water quality protection and enhances the natural resources and wildlife habitat of the surrounding area; and

WHEREAS, the Property has extensive frontage on State Route 18, contributing to the scenic views enjoyed by the public therefrom; and

WHEREAS, the Property borders the George Washington National Forest and so contributes to the open-space and conservation values of this public land; and

WHEREAS, the Property contains cliffs that the Department of Natural Heritage of DCR calls "shale barrens" and their preservation will ensure protection of rare species of plants that exist only in this habitat; and

WHEREAS, the Property fronts on Potts Creek, which has been designated a Class V trout stream by the Virginia Department of Game and Inland Fisheries, and includes parts of Cast Steel Run and Blue Spring Run, both of which have been classified as Class II trout streams, and also includes parts of Incline Hollow Run; and

WHEREAS, all of the streams running through the Property are part of the Upper James River Watershed and prevention of over development of the Property contributes to the health of the Chesapeake Bay; and

WHEREAS, the Property is in an area where large-lot development threatens to consume large farms; and

WHEREAS, the central portion of the Property was granted to Christopher Persinger, a Revolutionary War veteran, on July 16, 1791 and was in continuous family ownership from that time until the death of then-owner Marjorie Helen Carter McCarthy in January of 2005; and

WHEREAS, the original log home that was built by Christopher Persinger in the early 1790s was substantially renovated in approximately 1916 and is the present farmhouse; and

WHEREAS, the Property has been named a "Bicentennial Farm" by the United States Department of Agriculture, acknowledging that it had been in the same family for 200 years; and

WHEREAS, the preservation of the Property will further the 2002 Alleghany County, Virginia Comprehensive Plan's goal to (i) encourage desirable development and growth, while preserving the rural character of the County and (ii) "protect and preserve areas of unique scenic beauty and environmentally sensitive areas"; and

WHEREAS, the Grantor and the Grantee desire to protect in perpetuity the Open Space Values herein specified; and

WHEREAS, the Grantor and the Grantee intend to accomplish such protection by restricting the use of the Property as hereinafter set forth; and

WHEREAS, the Grantee has determined that the restrictions hereinafter set forth (the "Restrictions") will preserve and protect in perpetuity the "Open Space Values" of the Property, which values are reflected in the preceding paragraphs, the Grantee's evaluation of the Property, and the documentation of the condition of the Property as contained in its files and records; and

WHEREAS, the conservation purpose of this Easement is to preserve and protect in perpetuity the Open Space Values of the Property; and

WHEREAS, the Grantee has determined that the Restrictions will limit the uses of the Property to those uses consistent with, and not adversely affecting, the Open Space Values of the Property and the scenic values enjoyed by the general public.

NOW, THEREFORE, in recognition of the foregoing and in consideration of the mutual covenants herein and the acceptance hereof by the Grantee, the Grantor does hereby give, grant and convey to the Grantee an open-space easement in gross over, and the right in perpetuity to restrict the use of, the real estate consisting of 386.218 acres described in Schedule "A" located in Boiling Spring Magisterial District, Alleghany County, Virginia, and herein referred to as the "Property":

The tax map and parcel numbers are as set forth on Schedule "A" attached hereto and total 386.218 acres in the aggregate. The Property shall be considered to be one parcel for the purposes of this Easement, and the restrictions and covenants of this Easement shall apply to the Property as a whole.

AND SUBJECT, HOWEVER, to the restriction that the Grantee may not transfer or convey the open-space easement herein conveyed to the Grantee unless the Grantee conditions such transfer or conveyance on the requirement that (1) all restrictions and conservation purposes set forth in the conveyance accomplished by this Deed are to be continued in perpetuity, and (2) the transferee is an organization then qualifying as an eligible donee as defined by section 170(h)(3) of the Internal Revenue Code of 1986, as amended, and the applicable Treasury Regulations promulgated thereunder.

Restrictions are hereby imposed on use of the Property pursuant to the public policies set forth above. The acts that the Grantor covenants to do and not to do upon the Property, and the Restrictions that the Grantee is hereby entitled to enforce, are and shall be as follows:

1. **TRASH.** Accumulation or dumping of trash, refuse, or junk is not permitted on the Property. This restriction shall not prevent generally accepted agricultural or wildlife management practices, such as creation of brush piles, composting, or the storage of farm machinery, organic matter, agricultural products or agricultural byproducts on the

Property, as long as such practices are conducted in accordance with applicable laws and regulations.

2. **SIGNS.** Display of billboards, signs, or other advertisements that are visible from outside the Property is not permitted on or over the Property except to: (i) state the name and/or address of the owners or Property, (ii) advertise the sale or lease of the Property, (iii) advertise the sale of goods or services produced incidentally to a permitted use of the Property, (iv) provide notice necessary for the protection of the Property, (v) give directions to visitors, or (vi) recognize historic status or participation in a conservation program. No such sign shall exceed nine square feet in size.

3. **DIVISION.** The Property shall not be divided or subdivided into, or separately conveyed as, more than three (3) parcels, one of which shall be no more than 25 acres.

Boundary line adjustments with adjoining parcels of land are permitted and shall not be considered a prohibited division of the Property, provided that the Grantee is made party to the deed creating the boundary line adjustment and at least one of the following conditions is met:

- (i) The entire adjacent parcel is subject to an existing, recorded open-space easement conveyed to the Grantee;
- (ii) The proposed boundary line adjustment is reviewed and approved in advance by the Board of Trustees of the Grantee.

4. **MANAGEMENT OF FOREST.** All forest management activities on the Property shall be guided by a Forest Stewardship Management Plan approved by the Grantee, the primary purposes of which shall be to maintain the health and biological diversity of the forest, as well as to improve wildlife habitat, maintain a scenic forest, protect uncommon biological communities or natural areas and to conserve soil and water. Best Management Practices, as defined by the Virginia Department of Forestry, shall be used to control erosion and protect water quality when a forest management or land clearing activity is undertaken. A Pre-Harvest Plan consistent with the Forest Stewardship Management Plan shall be submitted to Grantee at least 30 days prior to beginning any timber harvesting.

Non-commercial de minimis harvest of trees for firewood or other domestic uses, removal of dead, diseased, or dying trees, or those that pose an imminent safety hazard to human health or safety, removal of invasive species (as defined in the Virginia Department of Conservation and Recreation's publication: "*Invasive Alien Plant Species of Virginia*"), and the removal of trees for uses permitted under the provisions of this conservation easement, shall be allowed, and shall not be subject to a Forest Stewardship Management or Pre-Harvest Plan.

- 4a. **RIPARIAN BUFFER.** A vegetated buffer extending fifty (50) feet from each bank of Potts Creek, Cast Steel Run and Blue Spring Run shall be maintained on the Property in the areas where the property line extends 50 feet from the bank. This buffer shall be protected from degradation by livestock. Removal of non-native invasive species and minimal harvest of trees is permitted, provided that the function of the buffer to protect water quality is not impaired. Notwithstanding the above, the Grantor reserves the right to maintain the existing sections of a farm road, formerly a railroad track bed, that lie within 50 feet of Potts Creek.
5. **GRADING, BLASTING, MINING.** Grading, blasting or earth removal shall not materially alter the topography of the Property except for dam construction to create private ponds, or as required in the construction of permitted buildings, structures, connecting private roads, and utilities as described in Paragraph 6. Generally accepted agricultural activities shall not constitute any such material alteration. Best Management Practices, in accordance with the Virginia Erosion and Sediment Control Law, shall be used to control erosion and protect water quality in the construction of permitted buildings and private roads. Notwithstanding the foregoing, no grading, blasting, or earth removal is permitted on the Property if it will materially diminish or impair the Open Space Values of the Property. Mining on the Property by surface mining or any other method is prohibited.
6. **BUILDINGS AND STRUCTURES.** No permanent or temporary building or structure may be built or maintained on the Property other than:
- (i) on any parcel not exceeding 25 acres, two (2) single family dwellings not to exceed a combined total of 4,500 square feet, and non-residential outbuildings or structures commonly and appropriately incidental thereto.
  - (ii) on other parcels:
    - (a) one (1) single family dwelling not to exceed 3,500 square feet of livable space per parcel and non-residential outbuildings or structures commonly and appropriately incidental thereto.
    - (b) one (1) secondary dwelling not to exceed 2,000 square feet of livable space per parcel and non-residential outbuildings or structures commonly and appropriately incidental thereto.
    - (c) farm buildings or structures, meaning a building or structure originally constructed and used for the activities specified in paragraph 7(i), not exceeding 4,500 square feet.
- Should it be desirable to construct a single family dwelling, a secondary dwelling or a farm building or structure larger than the limitations established above, prior written approval must be obtained from the Grantee, which approval shall be limited to consideration of the impact of the size, height and siting of the proposed structure of the Open Space Values of the Property.

In the event of subdivision of the Property so as to create a parcel or parcels smaller than 50 acres, construction of farm buildings or structures exceeding 2,500 square feet in ground area on such parcel shall require prior written approval of the Grantee.

(iii) In the event of subdivision of the Property as provided in Paragraph 3 above, permitted dwellings shall be allocated among the parcels in the instrument creating the subdivision, and private roads and utilities that serve permitted buildings or structures in this Paragraph 6 may be constructed.

(iv) No construction or other activity shall be allowed that threatens the integrity of the shale barrens on the Property. All buildings on the west side of Virginia State Route 18 will be set back from the public road a minimum distance of three hundred (300) feet.

(v) Provided the Grantee determines that the site and design are compatible with the conservation values of the Property a commercial wireless communications tower or device of monopole, mast construction, or less visible structure may be constructed on the Property. The visual impact of such structure shall not be appreciable from any location beyond the immediate site. Such a facility shall be located within an existing woodland and no portion of said structure shall project above the ridge into the skyline. No timbering of the surrounding woodland shall be permitted within a radius of 200 feet of said tower. No construction of said tower or device shall begin until the Grantee has determined that the proposed site and design is compatible with the conservation values herein protected. Said tower or device and related structures shall be removed and the land restored to its natural condition when the tower or device ceases to be used for communication purposes.

(vi) The Grantee shall not willfully demolish the existing house. However, in the event the building and/or site are destroyed by natural causes, the Grantee shall not be required to repair or replace same.

7. **INDUSTRIAL OR COMMERCIAL ACTIVITIES.** Industrial or commercial activities other than the following are prohibited: (i) agriculture, viticulture, aquaculture, silviculture, horticulture, and equine activities, (ii) temporary or seasonal outdoor activities that do not permanently alter the physical appearance of the Property, and that do not diminish the conservation values herein protected, (iii) activities that can be and in fact are conducted within permitted buildings without material alteration to the external appearance thereof, and (iv) the leasing of land for the construction and maintenance of wireless telecommunications facilities as permitted in paragraph 6 above, provided that said structure is compatible with the conservation values herein protected. Temporary outdoor activities involving 100 or more people shall not exceed seven days in duration unless approved by the Grantee in advance in writing. Notwithstanding any other provision of this Easement, no commercial recreational use (except for *de minimis* commercial recreational uses) shall be allowed on the Property.

8. **ENFORCEMENT.** Representatives of the Grantee may enter the Property from time to time for purposes of inspection and enforcement of the terms of this Easement after permission from or reasonable notice to the owner or the owner's representative. The Grantee has the right to bring an action at law or in equity to enforce the Restrictions contained herein. This right specifically includes the right to require restoration of the Property to a condition of compliance with the terms of this Easement as existed on the date of the gift of the Easement except to the extent such condition thereafter changed in a manner consistent with the Restrictions; to recover any damages arising from non-compliance, and to enjoin non-compliance by *ex parte* temporary or permanent injunction. If the court determines that the Grantor failed to comply with this Easement, the Grantor shall reimburse the Grantee for any reasonable costs of enforcement, including costs of restoration, court costs and reasonable attorney's fees, in addition to any other payments ordered by such court. The Grantee does not waive or forfeit the right to take action as may be necessary to insure compliance with this Easement by any prior failure to act and the Grantor hereby waives any defenses of waiver, estoppel or laches with respect to any failure to act by the Grantee.
9. **NOTICES TO GRANTEE.** The Grantor shall notify the Grantee in writing at, or prior to, closing on any *inter vivos* transfer or sale of the Property. This Deed of Easement shall be referenced by deed book and page number, or instrument number, in any deed conveying any interest in the Property.
10. **EXTINGUISHMENT.** The Grantor and the Grantee intend that this Easement be perpetual and not be extinguished, and extinguishment of this Easement is not permitted under the Open-Space Land Act, Virginia Code Section 10.1-1700 *et seq.* Restrictions set forth in the Easement can be extinguished only by judicial proceeding and only if such extinguishment also complies with the requirements of Section 10.1-1704 of the Virginia Code. In any sale or exchange of the Property subsequent to such extinguishment, the Grantee shall be entitled to a portion of the proceeds at least equal to the proportionate value of the perpetual conservation restriction computed as set forth below, but not to be less than the proportionate value that the perpetual conservation restriction at the time of the extinguishment bears to the then value of the Property as a whole. The Grantor agrees that the donation of the perpetual conservation restriction in this Easement gives rise to a property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that the perpetual conservation restriction at the time of the gift bears to the value of the Property as a whole at that time. The Grantee shall use all its share of the proceeds from the sale of the Property in a manner consistent with the conservation purposes of this Easement and of the Open-Space Land Act. No part of the Property may be converted or diverted from open space uses as herein defined except in accordance with Virginia Code Section 10.1-1704.
11. **DOCUMENTATION.** Documentation retained in the office of Grantee including, but not limited to the baseline documentation report, describes the condition and character of

the Property at the time of the gift. The Documentation may be used to determine compliance with and enforcement of the terms of the Easement; however, the parties are not precluded from using other relevant evidence or information to assist in that determination. Grantor has made available to Grantee, prior to the donation, documentation sufficient to establish the condition of the Property at the time of the gift. The parties hereby acknowledge that the documentation supplied and contained in the files of Grantee is an accurate representation of the Property.

12. **SUCCESSORS IN INTEREST.** The covenants, terms, conditions and restrictions contained in this Easement shall be binding upon, and inure to the benefit of, the parties hereto and its successors and assigns and shall continue as a servitude running in perpetuity with the Property.
13. **ENTIRE AGREEMENT.** This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement. This Easement shall not be construed to permit any use of the Property which is otherwise prohibited by federal, state, or local law or regulation.

If any provision of this deed or its application to any person or circumstance is determined by a court of competent jurisdiction to be invalid, the remaining provisions of this Easement shall not be affected thereby.

Although this Easement in gross will benefit the public as described above, nothing herein shall be construed to convey to the public a right of access to, or use of the Property. The Grantor retains the exclusive right to such access and use, subject to the terms hereof.

The parties hereto agree and understand that any value of this Easement claimed for tax purposes as a charitable gift must be fully and accurately substantiated by an appraisal from a qualified appraiser as defined in IRS regulations (see section 1.170A-1 3(c)(5)), and that the appraisal is subject to review, audit and challenge by all appropriate tax authorities. The Virginia Outdoors Foundation makes no express or implied warranties that any tax benefits will be available to Grantor from donation of this Easement, or that any such tax benefits might be transferable, or that there will be any market for any tax benefits that might be transferable. The parties hereto intend that the Easement conveyed herein shall be a qualified conservation contribution within the meaning of Section 170(h) of the Internal Revenue Code of 1986, as amended, and the restrictions and other provisions of this instrument shall be construed and applied in a manner that will not prevent this Easement from being a qualified conservation contribution. By its execution hereof, the Grantee acknowledges and confirms receipt of the Easement and further acknowledges that the Grantee has not provided any goods or services to the Grantor in consideration of the grant of the Easement.

Acceptance of this conveyance by the Virginia Outdoors Foundation is authorized by § 10.1-1801 of the Code of Virginia and is evidenced by the signature of its Deputy Director, by authority granted by the Board of Trustees of the Grantee. Assignment of this Easement is governed by §§ 10.1-1801 of the Code of Virginia.

**THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.**

WITNESS the following signatures and seals.

PERSINGER-CARTER, LLC

By: Walter M. Dixon, Jr.  
Walter M. Dixon, Jr., Member

By: Battle W. Porterfield, III  
Battle W. Porterfield, III, Member

By: Charlotte K. Porterfield  
Charlotte K. Porterfield, Member

Accepted:

VIRGINIA OUTDOORS FOUNDATION

By: Leslie H. Grayson  
~~XXXXXXXXXXXX~~, Deputy Director  
Leslie H. Grayson,

STATE OF VIRGINIA )  
 ) To-wit:  
CITY OF ROANOKE )

The foregoing instrument was acknowledged before me this 12th day of December, 2006, by Walter M. Dixon, Jr., Member of Persinger-Carter, LLC, a Virginia limited liability company, on behalf of the Company.

Jean Talley Reed (SEAL)  
Notary Public



My commission expires:  
January 31, 2009

STATE OF VIRGINIA )  
 ) To-wit:  
CITY OF ROANOKE )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of December, 2006, by Bittle W. Porterfield, III, Member of Persinger-Carter, LLC, a Virginia limited liability company, on behalf of the Company.

Jean Talley Reed (SEAL)  
Notary Public

My commission expires:

January 31, 2009

STATE OF VIRGINIA )  
 ) To-wit:  
CITY OF ROANOKE )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of December, 2006, by Charlotte K. Porterfield, Member of Persinger-Carter, LLC, a Virginia limited liability company, on behalf of the Company.

Jean Talley Reed (SEAL)  
Notary Public

My commission expires:

January 31, 2009

STATE OF VIRGINIA )  
County OF Fauquier ) To-wit:

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of December, 2006, by Leslie H. Grayson, Deputy Director of the Virginia Outdoors Foundation, on behalf of the Foundation.

  
\_\_\_\_\_  
Notary Public (SEAL)

My commission expires:

July 31, 2008



SCHEDULE "A"

All of those certain parcels of land containing in the aggregate 386.218 acres, more or less, which parcels are described on plat of survey prepared by Vess Surveying, Inc. entitled "Survey of Carter Farm for Marjorie Helen Carter McCarthy Estate", as follows: 362.00 acres, more or less (which parcel includes Lots Nos. 12, 13, 14, 15, 16 and 17, in Section 1 of Broken Arrow Subdivision, together with an undivided 6/57<sup>th</sup> interest in the area(s) shown on the plats of said subdivision as "Reserved For Park and Playground"); 0.048 acre; and 24.17 acres, more or less. Reference is hereby made to Sheets 1 and 2 of the aforesaid plat for a more particular description of said real estate, which plat is recorded in the Clerk's Office of the Circuit Court for the County of Alleghany, Virginia in Plat Book 30, pages 702 and 703.

Being part of the land commonly known as the Carter Farm and shown on the aforesaid plat as containing a total of 388.518 acres, more or less, less and except the following: (1) the 0.99 acre "Cemetery Lot", which is described on said plat and which was conveyed to the Trustees of Persinger Memorial Cemetery by deed dated April 11, 2006, and recorded as Instrument Number #060001169; (2) 1.03 acre, more or less (which parcel consists of Lots Nos. 21 and 22, as shown on the plat of Fort Apache Subdivision, together with an undivided 1/18<sup>th</sup> interest in the area(s) shown on the plat of said subdivision as "Reserved For Park and Playground"); and (3) 0.28 acre, more or less, leaving a total of 386.218 acres on which this Easement is granted.

TOGETHER WITH that certain easement of right of way which was reserved in that certain deed dated March 1, 1906 and recorded in the Clerk's Office of the Circuit Court of Alleghany County, Virginia in Deed Book 33, page 320, reference to which is made for further particulars; and

Subject to that certain 50 foot wide easement of right of way for ingress to and egress from the 0.99 acre "Cemetery Lot" and Virginia Secondary Route 788 (Llama Drive), as shown on the aforesaid plat.

VIRGINIA: In the Alleghany County Circuit Court clerk's office.  
This instrument is admitted to record at 4:49PM on  
December 19, 2006. Taxes Paid: Section. 58.1-802 \$ .00  
and State Tax \$ .00

TESTE: DEBRA N. BYER, CLERK  
by *Debra N. Byer* D.C.

NOTE\*\*\* Please note that one of the division rights that is granted in this Conservation Easement for the entire 388+/- acres is being utilized with the 24.17-acre tract that is being offered for sale separately from the 364+/- acres.