



A G E N D A
OCONEE COUNTY
CONSERVATION BANK BOARD

June 8, 2017

9:00 AM

Oconee County Administrative Offices
Council Chambers, 415 South Pine Street, Walhalla, SC

1. Call to Order
2. Approval of Minutes
 - May 9, 2017
 - May 23, 2017
3. Discussion and/or action regarding Powell Property
4. Discussion and/or action regarding Moore Property
5. New Business
6. Old Business
7. Adjourn

[This agenda is not inclusive of all issues which the board may bring up for discussion at this meeting.]

There will not be any Public Comment session at this meeting.



OCONEE SOIL AND WATER CONSERVATION DISTRICT

Commissioners

Alexander P. Ramsay, Chairman

Lee Keese, Vice-Chairman

Bob Winchester, Secretary-Treasurer

L.J. Jones Carol Hendrix

Oconee Conservation Bank Board

We are applying for funding to help meet the costs associated with an easement we have pending with the South Carolina Conservation Bank and USDA Natural Resource Conservation Service Agricultural Conservation Easement Program. The original agreement included two land owners. One of the landowners after much tribulation could not come through the final vetting process. This left us to approach both above entities asking to continue the process for the remaining landowner, Mr. Jerry Powell. The delays from awaiting the final decision on the other land owner have caused us to be pushed beyond our original date of closing. Mr. Powell was originally told he would not have to have a new survey to complete this process. After the delays and the decision to allow him to proceed NRCS now says they need a new survey. Mr. Powell has been patient and extremely gracious in this process. We are asking for funding of seven thousand five hundred dollars to appropriate a survey for Mr. Powell so that we may complete this agreement by August. I have personally talked with Glen Hart who has surveyed easement properties with us before and he is willing to complete this as soon as I give him the word. The payment may not be quite that much but the NRCS requires certain expectations which include shape files, signage on the property and other requirements not associated with a regular survey. I would like to ask that you approve this funding amount above and allow me to come back to you with the final amount when the survey is done with the exact amount charged, which I am hopeful will be under the above figure. We need to close this easement soon as the South Carolina Conservation Bank has also been gracious in allowing us to continue to hold our funding until we got the situation settled and also allowed us to fund the Jerry Powell easement on a stand alone basis after the other landowner could not complete his due diligence. Your help with this matter is greatly appreciated.

Sincerely,

Eddie Martin
District Manager OSWCD

CC: Heather Ramsay, Oconee Service Center District Conservationist
Glen Sandifer, ACEP Program Manager



Oconee County Conservation Bank
PROPERTY OWNER
STATEMENT OF INTEREST FORM
Oconee County, South Carolina

Property Owner Name Jerry M. Powell

Property Owner Address 2166 Hwy. 59 Westminster SC 29693

Eligible OCCB Recipient Name and Address Oconee Soil & Water Conservation District
301 W S Broad Street
Walhalla SC 29691

Property Owner Telephone Numbers
Home: 864-972-9400
Cell: 864-903-2929
Work: 864-972-3988

Description & Size of Your Property in Acres:
Prime Soils/Farmland 94.1 acres

General Location of Your Property:
2166 Hwy 59 Westminster SC 29693

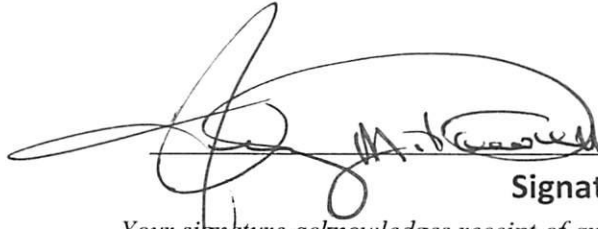
Oconee County Tax Map Number[s] [required] 301-00-04-010/310-00-02-001

Your Property's Unique Characteristics:
Open Farm Land Prime & Statewide Soil

THIS STATEMENT OF INTEREST, AS PRESENTED, REPRESENTS A BINDING PROPOSAL. ANY APPROVAL, CONDITIONAL OR FINAL, IS CONTINGENT UPON THE LANDOWNER'S FULFILLMENT OF ANY AND ALL PLEDGES AND PROPOSALS AS PRESENTED IN THE APPLICATION. IN ADDITION, I HAVE RECEIVED AND READ BOTH THE "KNOW WHAT TO EXPECT" AND "PROCESS" FORMS ATTACHED TO THIS DOCUMENT.

5-2-2017

Date



Signature of Landowner

Your signature acknowledges receipt of and a full understanding of the "Know What to Expect" [pg. 3] and the "Process" [pgs. 4-5] Forms.

Completed Form to be forwarded to:

Oconee County Conservation Bank Board
c/o Clerk to Council

Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

or

via email to: ksmith@oconeesc.com



Oconee County Conservation Bank PROPERTY OWNER STATEMENT OF INTEREST

Know What to Expect

What you need to know before you begin the process of having your property considered by the Oconee County Conservation Bank Board [OCCB]:

The Application will require the following to be provided by the property owner at their expense:

- An appraisal of the property
- May require surveys and additional professional work which the landowner is solely responsible to secure.
- The landowner will be required to sign that you understand that you are solely responsible for the costs of securing any work required to complete the application and that the OCCB is not responsible for such costs. [While each applicant may apply for a grant to cover, in whole or in part, the costs of such required work, the OCCB is under no obligation to approve any application.]

If the OCCB requires additional information it may include but is not limited to the following items:

- Detailed information about their property including deed and tax map references.
- Detailed information about their properties value which will require a detailed appraisal.
- May require an updated survey.
- Coordination with a non-profit managed to conserve land and similar resources or other eligible entity as described in the Oconee County ordinance creating the OCCB.
- Maps, photos and other documentation to support the conservation values of the land.

ANY APPLICATION WILL REPRESENT A BINDING PROPOSAL. ANY APPROVAL, CONDITIONAL OR FINAL, IS CONTINGENT UPON THE LANDOWNER'S FULFILLMENT OF ANY AND ALL PLEDGES AND PROPOSALS AS PRESENTED IN THE APPLICATION.



Oconee County Conservation Bank PROPERTY OWNER STATEMENT OF INTEREST PROCESS FORM

1. Landowner and their OCCB eligible “partner” (*e.g., a non-profit managed to hold conservation lands, government body or other eligible entity*) present a signed “Statement of Interest” form to the OCCB.

Landowner will be notified if their property is eligible and to submit a full application to the OCCB. [NOTE: Any such determination of eligibility to apply does not represent approval of the project.]

2. Landowner and their OCCB eligible “partner” submit full application with substantiation to the OCCB for review.

OCCB contacts landowner to

- (i) request additional information,
- (ii) decline the application, or
- (iii) schedule a site visit. [NOTE: the scheduling of a site visit does not represent approval of any project.]

3. Landowner provides additional requested information, if necessary.

OCCB contacts landowner to

- (i) decline the application, or
- (ii) schedule a site visit. [NOTE: the scheduling of a site visit does not represent approval of any project.]

4. OCCB representatives or agents make scheduled site visits to each property in the application cycle deemed appropriate for a site visit. [NOTE: the scheduling of a site visit does not represent approval of any project.]

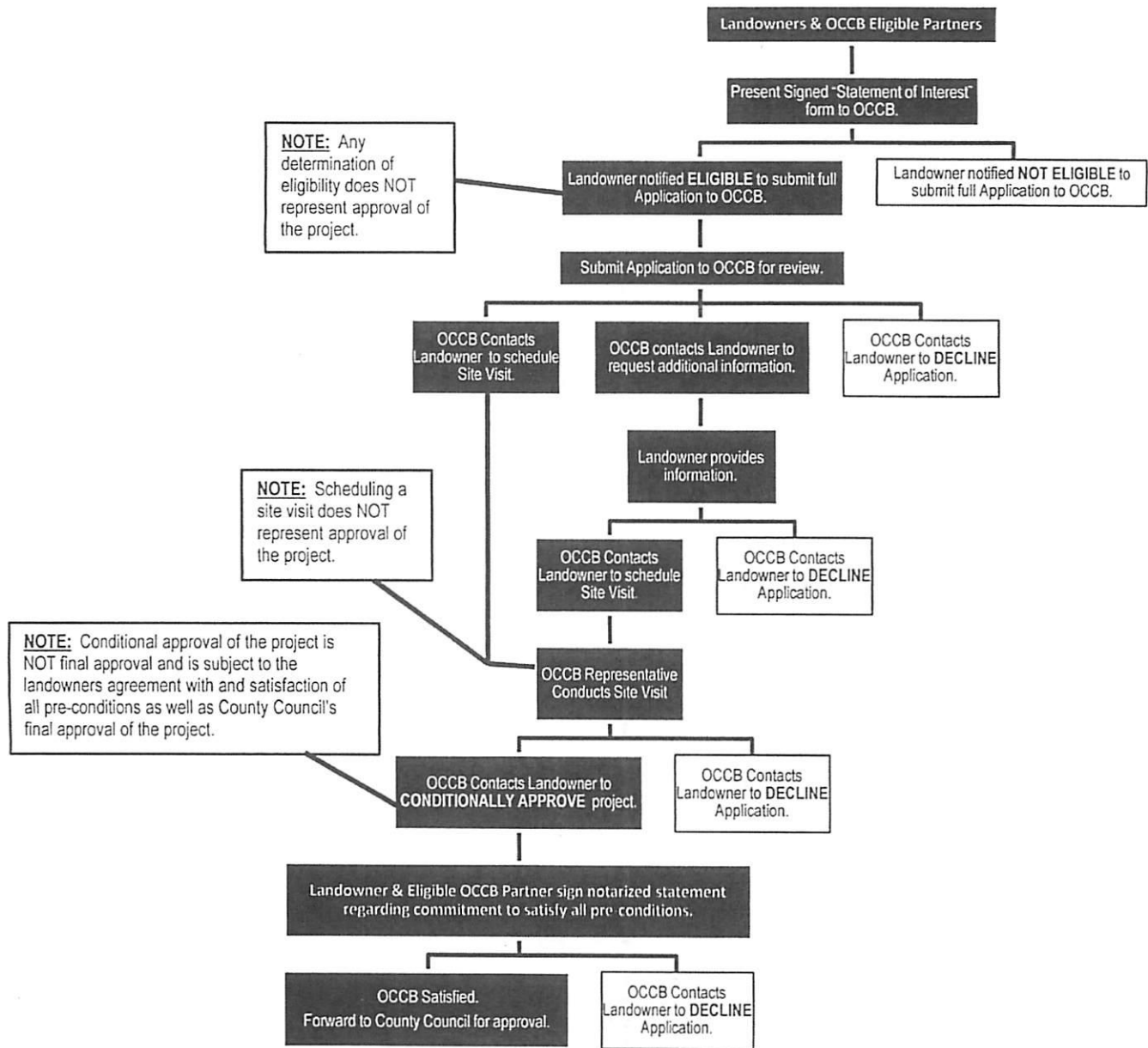
After the site visits are completed, OCCB contacts the landowner to

- (i) decline the application, or
- (ii) conditionally approve the project. [NOTE: Conditional approval is not final approval and is subject to the landowner’s agreement with and satisfaction of all pre-conditions as well as County Council’s final approval of the project.]

5. For each conditionally approved project, the landowner and their eligible OCCB must sign a notarized statement stating their commitment to satisfy all pre-conditions and must prove to the OCCB’s satisfaction that all pre-conditions have been met.

Upon receiving such commitment and satisfaction, the OCCB will prepare any such properties for presentation to the Oconee County Council.

NOTE: Only Oconee County Council can finally approve any project and no project shall be considered approved or final until such final approval is granted. The landowner and eligible OCCB partner remain fully responsible for all expenses and costs associated with application to and interaction with the OCCB throughout the application process. The landowner and eligible OCCB partner will only be reimbursed for those expenses and costs associated with application to and interaction with the OCCB if such reimbursement is sought in the grant application and finally approved by the OCCB and Oconee County Council.





Oconee County Conservation Bank Application for Funding Oconee County, South Carolina

Completed Application to be forwarded to:

Oconee County Conservation Bank Board
c/o Clerk to Council
Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

or

via email to: ksmith@oconeesc.com

SECTION I

I. General Information:

Acquisition type: Fee Simple Conservation Easement

Landowner's Name

Jerry M Powell

Mailing Address:

2166 Hwy 59 Westminster SC

Daytime Telephones

(864) 972 3988 864 903 2929

Eligible OCCB Recipient Seeking Funding
(See Oconee County Ordinance 2011-16, Section II, G)

Name of Organization

Oconee Soil & Water Conservation District

Authorized Agent Name:

Eddie Martin

Mailing Address:

301 W S Broad Street

Walkalla SC 29691

Daytime Telephones

(864) 557 6168 864 638 2213

II. Property Information

Legal Description

County: Oconee

Tax Map # 301-00-04-010 / 310-00-02-001

Assessor's Plat & Lot Numbers:

A 305 pg 2

A 853 pg 4

Deed Reference [Book & Page]

132 pg 300

770 pg 314

Current Zoning Classification

Control Free

Location on County Map (attach copy as EXHIBIT A)

Brief description of property including:

- a. Total Acres
- b. Total Forested
- c. Total Cleared / Open
- d. Total Wetlands
- e. Creeks and/or Rivers

94.1

3 acres

94.1

NONE

ONE, 2000 feet

Please include any surveys, USGS maps, directions, county locator map, or any other pertinent information.

See attachments A + B

III. Miscellaneous Information:

Who is the Party responsible for managing the land?

Name Jerry M Powell

Address: 2166 Hwy 59 Westminster SC 29693

Telephone Number 864 972 3988

Who is responsible for enforcing any conservation easements or other restrictions on this property?

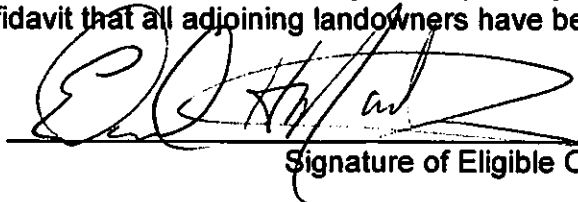
Name Oconee Soil + Water Conservation District

Address: 301 NS Broad Street
Walhalla SC 29691

Telephone Number 864 638 2213

IV. Adjoining landowners.

Adjoining landowners must be notified of this grant request by Oconee County ordinance. Please attach an affidavit that all adjoining landowners have been notified.


Signature of Eligible OCCB Recipient (Applicant)

5 4 17
Date

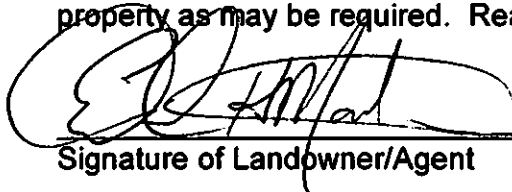
Section II
To be filled out by the landowner

1. Has the Eligible OCCB Recipient seeking funding notified you in writing:
(See Oconee County Ordinance 2011-16, Section VII)
- a. That interests in land purchased with trust funds result in a permanent conveyance of such interests from the landowner to the eligible trust fund.
 yes no
- b. That it may be in the landowner's best interests to retain independent legal counsel, appraisals, and other professional advice.
 yes no

2. Are there any existing liens, mortgages, or encumbrances that currently exist on this property?
 yes no If yes, please explain below:

Oconee County Conservation Bank—Landowner Inspection Consent Agreement.

I, EDWARD H Martin, as the landowner or landowner's agent agree to allow inspection, or appraisal if necessary, of the property being presented to the OCCB Board for consideration. I agree to allow authorized or designated agent or staff to inspect this property as may be required. Reasonable notice of inspection will be given.



Signature of Landowner/Agent

5 4 17
Date

Section III

To be filled out by the Eligible OCCB Recipient seeking funding (Applicant)

Organization Name Oconee Soil + Water Conservation District

Address 301 WS Broad Street
Walhalla SC 29691

Daytime Telephones 1864 1557 6168 864638 2213

Contact Person Eddie Martin

Organization EIN Number: 57-0369135

NOTE: You are required to attach certification that this is a charitable not-for-profit corporation or trust authorized to do business in this state; whose principal activity is the acquisition and management of land for conservation or historic purposes and which has tax-exempt status as a public charity under the Internal Revenue Code of 1986 or Certification that the applicant is an otherwise qualified entity under Oconee County Ordinance 2011-16, Section II and Section VII.

How will you be able to complete the project and acquire the interests in the proposed lands?

Funding is already approved through South Carolina Conservation Bank and USDA Natural Resource Conservation Service

How many total acres of lands or projects have you preserved in this State? In this County?

2332 acres in Oconee County

Briefly describe the lands your organization has preserved in this State, and then County, including their size, location and method of preservation. Note: this section need not be complied with for specific preserved lands if the privacy or proprietary interests of the owners of such preserved lands would be violated.)

All have been protected with Conservation Easements
Most has been prime farmland, two are forested
Tracts

Has the Eligible OCCB Recipient notified the owner of the land that is the subject of the potential OCCB grant of the following in writing? (See Oconee County Ordinance 2011-16, Section VII)

a. That interests in land purchased with trust funds result in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or it assignees.

Yes

b. That it may be in the landowner's interest to retain independent legal counsel, appraisals and other professional advice.

yes

Note: Applications not having affirmation that the notice requirement of this section has been met will not be considered for funding requests.

Does the Eligible OCCB Recipient or the landowner have a general summarized land management plan for this proposal? If so, please attach.

___ yes

✓ no

Explain how the Eligible OCCB Recipient intends to enforce the easement restrictions on this proposal, if a conservation easement is proposed. Attach additional sheet if necessary.

Our program includes at least yearly property inspections
if violations are noticed we encourage the landowner
to correct them, if no action is taken we can take the
matter to court

Does the Eligible OCCB Recipient agree that OCCB funds may only be used for the acquisition of interests in land including closing costs and not for management, planning, staffing, or any costs not associated with the purchase of interests in lands?

yes no

Does the Eligible OCCB Recipient have reasonable documentation to support this request?
Please attach.

The proposal will not be considered without adequate substantiation of estimated Fair Market Value and a qualified and competent appraisal establishing fair market value and/or the value of the proposed easement will subsequently be required prior to closing.

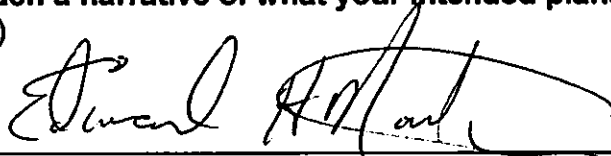
(See Oconee County Ordinance 2011-16, Section VII, B, f)

yes no See attachment C

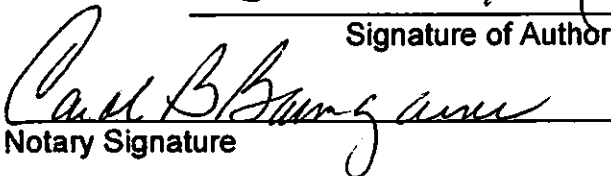
What is the amount of support sought for this proposal?

\$7500.00

Explain how this proposal will satisfy the Criteria listed in Sections Four and Five of the ensuing pages. (Please attach a narrative of what your intended plans are and how you plan to accomplish them.)



Signature of Authorized Agent for Eligible OCCB Recipient (Applicant)


Notary Signature

My commission expires: 3-27-23

Section IV
Conservation Criteria
Oconee County Ordinance 2011-16, Section VI
Information to be considered in filling out the application

1. Does the property contain or adjoin wetlands? Yes _____ No

If yes, please attach certification by USACOE or NRCS.

2. Does the property contain or adjoin a USGS Blue Line Stream or Lake?

If yes, please provide USGS topographic map showing such stream or lake in relation to property.

3. Does the property contain or adjoin Water Classified as either (i) Outstanding Natural Resource Water (ii) Outstanding Resource Water or (iii) Trout Water, by South Carolina DHEC.

If yes, please provide evidence of such classification by SC DHEC.

4. Does the property currently contain threatened or endangered species or habitat suitable for threatened or endangered species?

If yes, please provide a certification by SC DNR, NRCS, USFS or other qualified professional providing evidence of such species existence on the property or of such habitat suitability.

5. Does the property currently contain native wildlife species or habitat suitable for native wildlife species?

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such species existence on the property of such habitat suitability.

6. Does the property currently contain special or concentrated biodiversity?

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such biodiversity on the property.

7. Does the property currently contain a unique geological feature, such as a mountain, rock outcropping, waterfall or other similar feature?

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such geological feature on the property.

8. Does the property share a boundary with other Protected Land? For purposes of this question, "Protected Land" includes any land or byway substantially protected from development or designated as scenic or protected through any federal, state, or local act.

(a) If yes, what percentage of a boundary is shared with such Protected Land? *no*

_____ 1%-25%

_____ 26%-50%

_____ Greater than 50%

(b) If yes, please describe the Protected Land and present a legible map showing such Protected Land in relation to the property. *no*

9. Does the property contain any of the following pre-historic or historic features or designations?

(a) Listing on the National Historic Register? If yes, please provide a letter or other evidence from the Department of the Interior demonstrating such listing.

(b) Eligible for listing on the National Historic Register? If yes, please provide a letter or other evidence from the SC State Historic Preservation Office demonstrating such eligibility.

(c) Contains historic or pre-historic structures? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the structure(s) on the property.

(d) Contains a site of historic or pre-historic significance? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the site(s) on the property.

10. Does the property contain fifty percent (50%) or greater surface area of soils classified as Prime or Important by the State of South Carolina? *yes*

(a) If yes, what percentage of the property contains soils classified as Prime or Important by the State of South Carolina?

50%-60%

_____ 61%-75%

_____ Greater than 75 %

(b) If yes, please provide a legible soil overlay map showing such Prime or Important soil types upon the property.

See Attachment B

11. Has the property been Actively Farmed as defined under one of the following qualifications? *yes*

- (a) The landowner has filed IRS Form Schedule F in the previous two tax years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application;
- (b) The landowner has filed IRS Form Schedule F in seven of the last ten years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application; or
- (c) The landowner can produce documentation demonstrating that the landowner has produced significant agricultural products in Oconee County in the last two years? If yes, please provide such documentation and a notarized statement affirming that such farming activities pertained to the property referred to in this application.

12. Does the property allow public viewing: *yes it is adjacent to Hwy 59*

- (a) ...from a Federal, State or County maintained road? If yes, please provide documentation describing precise location of point along a Federal, State or County Road where property is visible. Include a photograph taken from this point.
- (b) ...from any other public access land or waterway? If yes, please provide documentation describing precise location of point along such public access land or waterway where property is visible. Include a photograph taken from this point.

yes
13. Does the property provide a Scenic View to the public or help maintain the Scenic Nature of an area in the County? For purposes of this question, a Scenic View includes mountain, river, lake, forest, pasture, agricultural and other pastoral views which are viewable by the public from a public roadway or other publically accessible area.

If yes, please provide photograph evidence to support the Scenic View, a description of the Scenic View and a description of the specific locations with map references from which the public may observe the Scenic View.

14. Does the proposal for the conservation project on the Property allow... *NO This is a working Farm*

- (a) ...Limited Access by the public to the property? For purposes of this question, Limited Access means any access which is less than access on a year round and continual basis, but allows access by the public for some limited time or seasonal period(s).

If yes, please provide documentation supporting such Limited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public.

(b) ...Unlimited Access by the public to the property? For purposes of this question, Unlimited Access means any access which provides the public access to the property on a year round and continual basis and, additionally, requires that such access is (or will be) communicated to the public. NO

If yes, please provide documentation supporting such Unlimited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public. In addition, please provide evidence that the Unlimited Access is (or will be) reasonably communicated to Oconee County citizens.

15. Is the property located in any one or more of the following locations? If yes, for each such location please provide an aerial map and supporting documentation which demonstrates such location in relation to the relevant municipality or other land.

- (a) Is the property located within or adjacent to land of the United States Forest Service, a South Carolina State Forest, a State Park, a County Park or a Park of Municipality located in Oconee County, South Carolina?
- (b) Is the property located within 1 mile of a municipality?
- (c) Is the property located from 2-5 miles of a municipality?
- (d) Is the property located greater than 5 miles from a municipality? *yes*

16. What is the approximate size (in acres) of the property? Please provide documentation to support the stated acreage, including survey(s), tax information, deeds or other similar documentation.

94.1 acres plats attached

Section V - Financial Criteria
Oconee County Ordinance 2011-16 Section VI
Information to be considered in filling out the application

1. (a) What is the Total Market Value of the proposed conservation project? \$200,000.00
 (Total Market Value for a fee simple project is the total fair market value of the property as supported by a current appraisal. Total Market Value for a conservation easement project is the value of the conservation easement as determined under the methods prescribed in IRS Treasury Regulations 1.170A-14(h) as supported by a current appraisal.) *See Attachment C*

(b) What is the amount of the grant requested from the OCCB? \$7500.00

Based on the figures above, what is the total percentage of funding requested for the project from the OCCB. (Divide Sum (b) by Sum (a) to Find Percentage)? 0.0375

2. Please list and describe any other grants, contributions or gifts from any non-governmental agencies, groups, entities or individuals which will support the proposed conservation project?
-
-

For any listed grant, contribution or gift, please provide evidence or a written pledge of such support from the relevant non-governmental party.

3. How does the proposal present a unique value opportunity in that it protects land at a reasonable cost? Parcel:

 ✓ is available at a low cost per acre

 is available from a willing seller at a reasonable price

4. How does the proposal leverage OCCB funds by including funding or in-kind assets or services from other governmental sources?

Have matching funds of any kind or services-in-kind been applied for or received? *See attachment D AND Cover Letter*

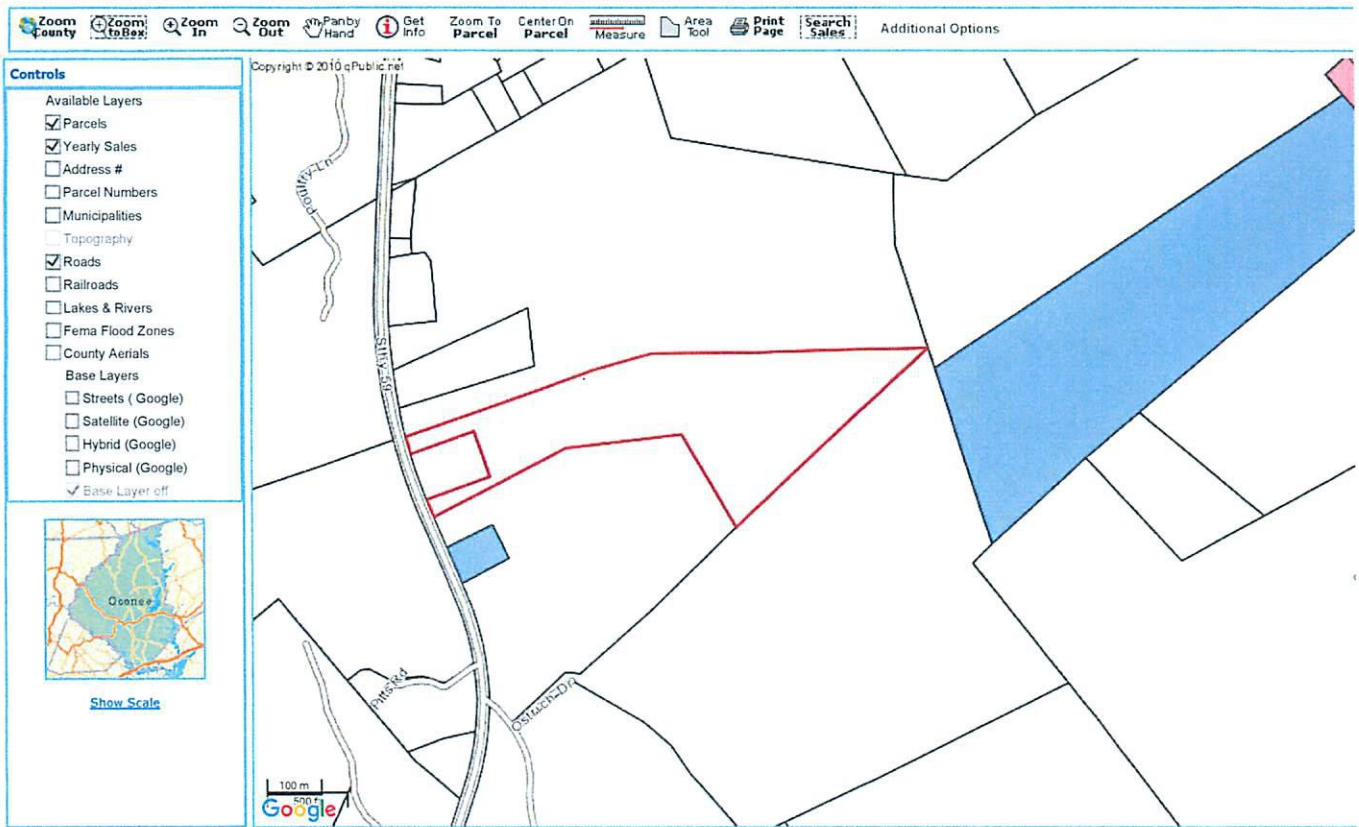
Please explain and described the in-kind services or amount of financial support applied for or r received. Please also provide written documentation to support such application or receipt of such support.

5. Please describe any other financial advantage of the proposed conservation project which helps ensure that the project represents a good use of limited OCCB funds and/or provides a good return on investment for the citizens of Oconee County?

Please explain any other such financial advantage and provide documentation to support your answer to this question.



Oconee County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The maps on this site are not surveys before the next certified tax roll.



Oconee County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The maps on this site are not surveys. before the next certified tax roll.

Attachment B

Jerry Powell- Parcel 2
Prime & SWI Soils Map

Date: 7/7/2015

Customer(s): J DENVER POWELL
JERRY & JANIE POWELL

Assisted By: HEATHER RAMSAY

District: OCONEE SOIL & WATER CONSERVATION DISTRICT



Legend

Soils Map

Jerry Powell Parcel 2

ortho_1-1_1n_s_sc073_2013_1.sid

RGB

Red: Band_1

Green: Band_2

Blue: Band_3



USDA Farm and Ranch Land Protection Program (FRPP) Conservation Easement Appraisal

of

104.79 +/- acres of farmland and improvements north of Fair Play
Oconee County, South Carolina

Property of Jerry M. and Janie P. Powell

Prepared at the Request of
The Oconee Soil and Water Conservation District

Prepared for the Use of:
Oconee Soil and Water Conservation District, the USDA NRCS, and Jerry and Janie Powell

Effective Date of Appraisal: February 10, 2016

Date of Appraisal Report: February 15, 2016



HOLSTEIN APPRAISALS | 521 W Railroad Ave | Batesburg, SC 29006
803.532.3955 | 803.532.1931 fax | www.holsteinappraisals.com

Richard H Holstein IV, PE
Certified General Appraiser
SC 5509
NC A7477
GA 345673

Richard H Holstein III, ARA
Certified General Appraiser
SC 42
NC A1073
GA 001040

Melanie S. Holstein
Certified General Appraiser
SC 6383



HOLSTEIN APPRAISALS
521 Railroad Avenue
Batesburg, SC 29006
803.532.3955
803.532.1931 fax
www.holsteinappraisals.com

February 15, 2016

Jerry Powell
Oconee Soil and Water Conservation District
USDA National Resource Conservation Service

Re: Letter of Transmittal—OSWCD/FRPP Conservation Easement Appraisal, 104.79 +/- acres of farmland and improvements north of Fair Play, Property of Jerry M. and Janie P. Powell, Oconee County, SC.

At your request, I have prepared an appraisal report on land upon which a OSWCD/USDA NRCS Farm and Ranchland Protection Program conservation easement is to be placed. The subject property includes 104.7 +/- acres, 94.9 of which will be subject to the easement. The effective date of the appraisal is February 10, 2016, the date of the property inspection. The objective of this appraisal was to estimate the value of the subject land before and after the easement. The easement value is the difference between these two values.

I estimate the values to be:

Value before the Easement:	\$620,000
- <u>Value After the Easement:</u>	\$420,000
= Value of Easement:	\$200,000

The appraisal is based on the area delineated by the plats, aerial photographs, deeds, tax maps, and timber maps supplied by the client, which are included as part of the report. This appraisal has been conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA—Yellow Book). The appraisal procedures and scope of the appraisal are explained in detail in the body of the report.

I appreciate your business. If there are questions, please do not hesitate to call.

Sincerely,
HOLSTEIN APPRAISALS

Richard H. Holstein IV, P.E.
Certified General Appraiser
SC 5509 | GA 345673 | NC A7477

Attachment D

SOUTH CAROLINA CONSERVATION BANK

1201 Main Street, Suite 1820

Columbia, South Carolina 29201



Marvin N. Davant
Executive Director
803-734-3986
803-734-6326 fax

September 25, 2015

Board of Directors

James W. Roquemore
Chairman

Michael G. McShane
Vice-Chairman

H. Boyd Brown
Andrea Clark
Elliott Close

C. Douglass Harper
D. Clinch Heyward
Charles G. Lane
Thomas W. Miller
Harry E. Shealy, Jr.
William L. Snow, Sr.

Ex-Officio Members

D. Glenn McFadden
Dr. Walt McPhail
Duane N. Parrish

Alexander Ramsay
Oconee Co SWCD
301 West South Broad St.
Walhalla, SC 29691

RE: Powell Tract – Oconee County
Grant Award Amount \$424,000

Dear Mr. Ramsay:

This is to inform you that the above referenced grant was approved by the SC Conservation Bank Board on November 5, 2014. In order to receive the grant amount approved by the Board the above grant must be closed prior to June 15, 2016. If the grant has not closed by June 15, 2016, the specified funds may be redirected.

If you have any questions, do not hesitate to contact this office.

Sincerely,

Marvin N. Davant

cc: J Denver Powell
2165 Highway 59
Westminster, SC 29693

PAYMENT & FEE CALCULATION FOR CONSERVATION EASEMENT

8-May-17

FRPP PAYMENT CALCULATION FOR CONSERVATION EASEMENT:

1. ENTER TOTAL VALUE OF CONSERVATION EASEMENT FROM APPRAISAL <i>(Appraisal based upon estimated acreage at time of appraisal. Estimated acreage must be within 5% of final acres.)</i>	\$200,000.00
2. ENTER TOTAL CONSERVATION EASEMENT ACRES <i>(Final acres under Conservation Easement.)</i>	94.088
3. CALCULATED VALUE PER ACRE OF CONSERVATION EASEMENT ACRES <i>(1 divided by 2)</i>	\$2,125.67
4. ENTER APPROVED PERCENTAGE OF FRPP PAYMENT <i>(Determined and accepted by applicant at time of application.)</i>	47.50%
5. ENTER TOTAL FRPP PAID ACRES <i>(Total FRPP paid acres may be less than total easement acres if some of the property was donated by the landowner in order to receive a higher ranking score.)</i>	94.088
6. CALCULATED MAXIMUM FRPP PAYMENT <i>(3 X 4 X 5)</i>	\$95,000.00
7. ENTER TOTAL FRPP FUNDS APPROVED <i>(Based upon estimated acreage at the time of application x estimated value per acre of conservation easement x 4. Estimated value per acre determined by OSWCD if an approved appraisal was not submitted by the applicant at the time of application.)</i>	\$300,000.00
8. CALCULATED ELIGIBLE FRPP PAYMENT <i>(lessor of 6 and 7)</i>	\$95,000.00

SCCB PAYMENT CALCULATION FOR CONSERVATION EASEMENT:

9. TOTAL VALUE OF CONSERVATION EASEMENT FROM APPRAISAL <i>(from 1)</i>	\$200,000.00
10. TOTAL CONSERVATION EASEMENT ACRES <i>(from 2)</i>	94.088
11. CALCULATED VALUE PER ACRE OF CONSERVATION EASEMENT ACRES <i>(from 3)</i>	\$2,125.67
12. ENTER APPROVED PERCENTAGE OF SCCB PAYMENT <i>(Determined and accepted by applicant at time of application.)</i>	47.50%
13. ENTER TOTAL SCCB PAID ACRES <i>(Total paid acres may be equal to or greater than number of acres approved for payment under FRPP.)</i>	94.088

14. CALCULATED MAXIMUM SCCB PAYMENT \$95,000.00
(11 X 12 X 13)

15. ENTER TOTAL SCCB FUNDS APPROVED \$392,142.00
(Based upon estimated acreage at the time of application x estimated value per acre of conservation easement x 12. Estimated value per acre determined by OSWCD if an approved appraisal was not submitted by the applicant at the time of application.)

16. CALCULATED ELIGIBLE SCCB PAYMENT \$95,000.00
(lessor of 14 and 15)

TOTAL PAYMENT CALCULATION FOR CONSERVATION EASEMENT:

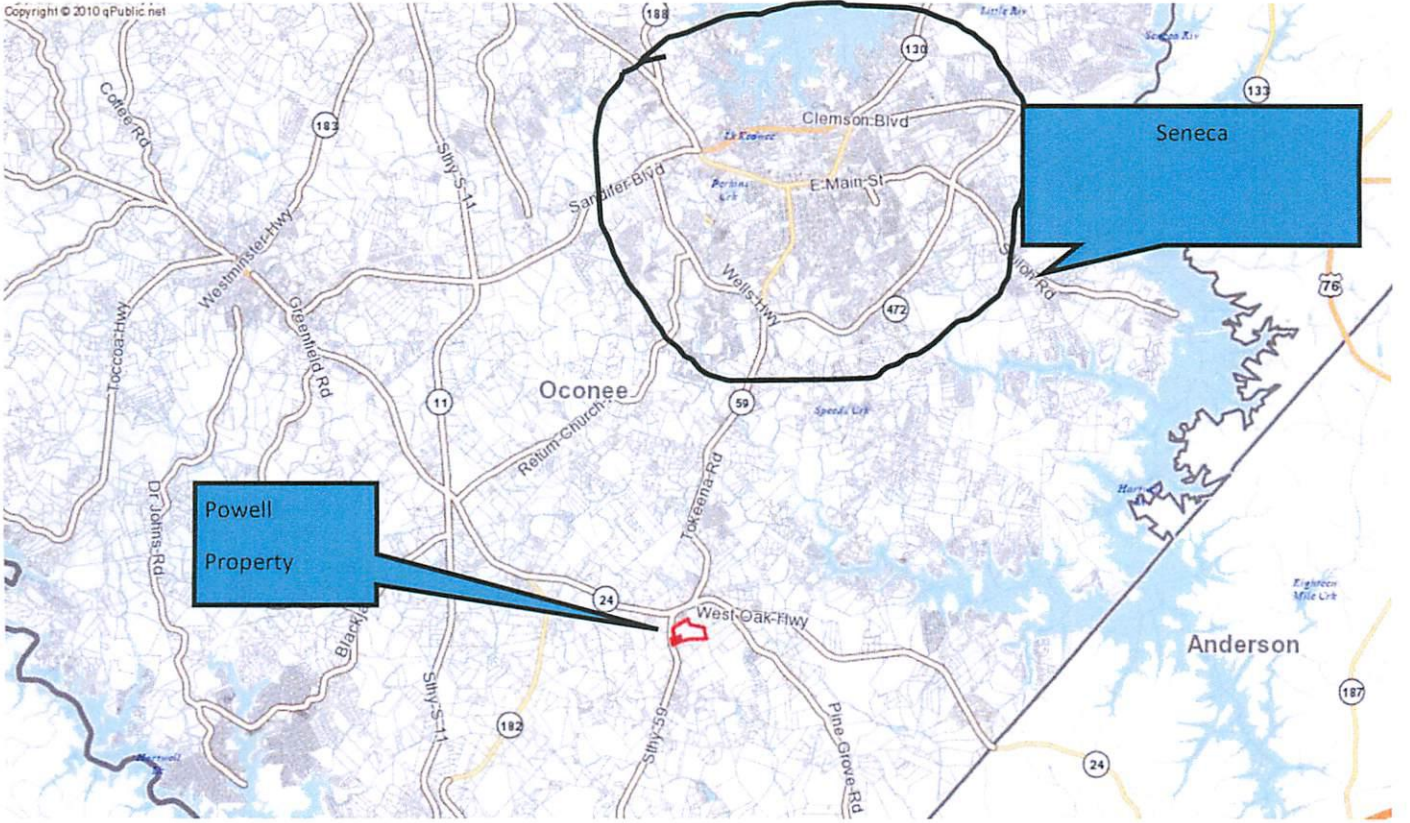
17. CALCULATED TOTAL PAYMENTS FOR FRPP AND SCCB \$190,000.00
(sum of 8 and 16)

OSWCD ADMINISTRATIVE FEE CALCULATION:

18. CALCULATED ADMINISTRATIVE FEE REQUIRED AT CLOSING \$ 5,000
(1% of Conservation Easement Value, but not less than \$5,000)

Remaining FRPP Funds \$205,000.00
Remaining SCCB Funds \$297,142.00

Price per acre for easement minus fee \$ 1,966



Powell
Property

Seneca



OCONEE SOIL AND WATER CONSERVATION DISTRICT
301 WEST SOUTH BROAD STREET
WALHALLA SC 29691

Rex Ramsay-Chair Lee Keese-Vice Chair
Bob Winchester -Sec/Treas L.J. Jones Carol Hendrix

May 3, 2016

J. Denver Powell
2165 Highway 59
Westminster, SC 29693

Jerry M. & Janie P. Powell
2166 Highway 59
Westminster, SC 29693

RE: Offer to Purchase Conservation Easement, 364.6 Acres

Dear Denver, Jerry & Janie,

We have received approval for funds to purchase easements on your farm totaling SIX HUNDRED NINETY-TWO THOUSAND, ONE HUNDRED FORTY-TWO DOLLARS AND NO/100 (\$692,142.00). This funding includes \$300,000 from USDA-Natural Resources Conservation Service (NRCS) through the Agricultural Conservation Easement Program-Agricultural Land Easement (ACEP-ALE) and \$392,142 from the South Carolina Conservation Bank.

We are pleased NRCS and the South Carolina Conservation Bank have considered these tracts worthy of future protection. Thank you for your willingness to protect the property by allowing Oconee Soil and Water Conservation District to hold your easements.

Please sign and date the final page of this letter indicating if you will continue with the process of placing a conservation easement on your property. PLEASE RETURN NO LATER THAN MAY 6, 2016.

Thank you for your interest in protecting farmland in Oconee County. Should you have any questions, please do not hesitate to call.

Sincerely,

ALEXANDER P. "REX" RAMSAY
District Chairman

Enclosure

We accept the proposed offer by the Oconee Soil & Water Conservation District to purchase permanent conservation easements on our farms, totaling approximately 369.4 acres, in the amount of \$692,142.00 (SIX HUNDRED NINETY-TWO THOUSAND, ONE HUNDRED AND FORTY-TWO DOLLARS AND NO/100).

We understand this offer is contingent upon acceptance of all due diligence requirements by the Natural Resources Conservation Service (NRCS) and the SC Conservation Bank (SCCB) and upon receipt of approved funds.



J. Denver Powell Signature

5-3-2016

Date



Jerry M. Powell Signature

5-3-2016

Date



Janie P. Powell

5-3-2016

Date



















AFFIDAVIT

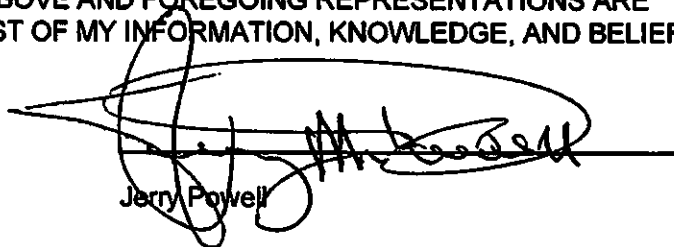
Name: Jerry Powell
Occupation:
Owner: Powell Tractor
Farmer

I, Jerry Powell, swear or affirm:

That I have continuously farmed since 1980 the parcel located at 2166 Hwy. 59 Westminster SC and identified by Oconee County tax map numbers 301-00-04-010 and 310-00-02-001. This being the same property I intend to preserve with a conservation easement to be held by Oconee Soil and Water Conservation District. This farm will be used to continue to raise hay and cattle. I also grant my permission for the Oconee County Conservation Bank to create a press release that uses limited information relating to the easement agreement and support from the Oconee County Conservation Bank to be used for a public relations announcement.

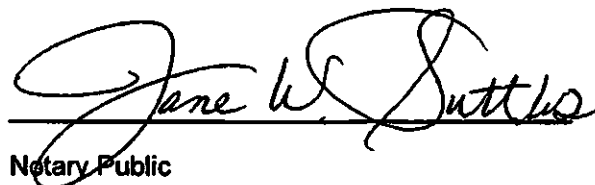
I SWEAR OR AFFIRM THAT THE ABOVE AND FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

5/24/17
Date


Jerry Powell

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

I, the undersigned Notary Public, do hereby affirm that Jerry Powell personally appeared before me on the 24 day of May 2017, and signed the above Affidavit as his free and voluntary act and deed.


Notary Public

My commission expires 12/7/21











Oconee County Conservation Bank
PROPERTY OWNER
STATEMENT OF INTEREST FORM
Oconee County, South Carolina

Property Owner Name Keevin E. Moore

Property Owner Address 155 Pepridge Rd. Walhalla, SC 29691

Eligible OCCB Recipient
Name and Address

Property Owner Telephone Numbers Home: _____
Cell: 864.710.4724
Work: _____

Description & Size of Your Property in Acres: 96.65 acres, majority is
pastured and cleared. I have 1 Ranch rental
home that is a 3 bed & 2.5 bath

General Location of Your Property:
From Highway 28, Right on Playground Rd.
Then left onto Pepridge

Oconee County Tax Map Number[s] [required] 131-00-02-015

Your Property's Unique Characteristics: Cane Creek runs through and
surrounds the property. That is the #1 watershed
river that feeds Lake Keowee.

THIS STATEMENT OF INTEREST, AS PRESENTED, REPRESENTS A BINDING PROPOSAL. ANY APPROVAL, CONDITIONAL OR FINAL, IS CONTINGENT UPON THE LANDOWNER'S FULFILLMENT OF ANY AND ALL PLEDGES AND PROPOSALS AS PRESENTED IN THE APPLICATION. IN ADDITION, I HAVE RECEIVED AND READ BOTH THE "KNOW WHAT TO EXPECT" AND "PROCESS" FORMS ATTACHED TO THIS DOCUMENT.

4/24/2017
Date



Signature of Landowner

Your signature acknowledges receipt of and a full understanding of the "Know What to Expect" [pg. 3] and the "Process" [pgs.4-5] Forms.

Completed Form to be forwarded to:

Oconee County Conservation Bank Board
c/o Clerk to Council
Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

or
via email to: bhulse@oconeesc.com



Oconee County Conservation Bank PROPERTY OWNER STATEMENT OF INTEREST

Know What to Expect

What you need to know before you begin the process of having your property considered by the Oconee County Conservation Bank Board [OCCB]:

The Application will require the following to be provided by the property owner at their expense:

- An appraisal of the property
- May require surveys and additional professional work which the landowner is solely responsible to secure.
- The landowner will be required to sign that you understand that you are solely responsible for the costs of securing any work required to complete the application and that the OCCB is not responsible for such costs. [While each applicant may apply for a grant to cover, in whole or in part, the costs of such required work, the OCCB is under no obligation to approve any application.]

If the OCCB requires additional information it may include but is not limited to the following items:

- Detailed information about their property including deed and tax map references.
- Detailed information about their properties value which will require a detailed appraisal.
- May require and updated survey.
- Coordination with a non-profit managed to conserve land and similar resources or other eligible entity as described in the Oconee County ordinance creating the OCCB.
- Maps, photos and other documentation to support the conservation values of the land.

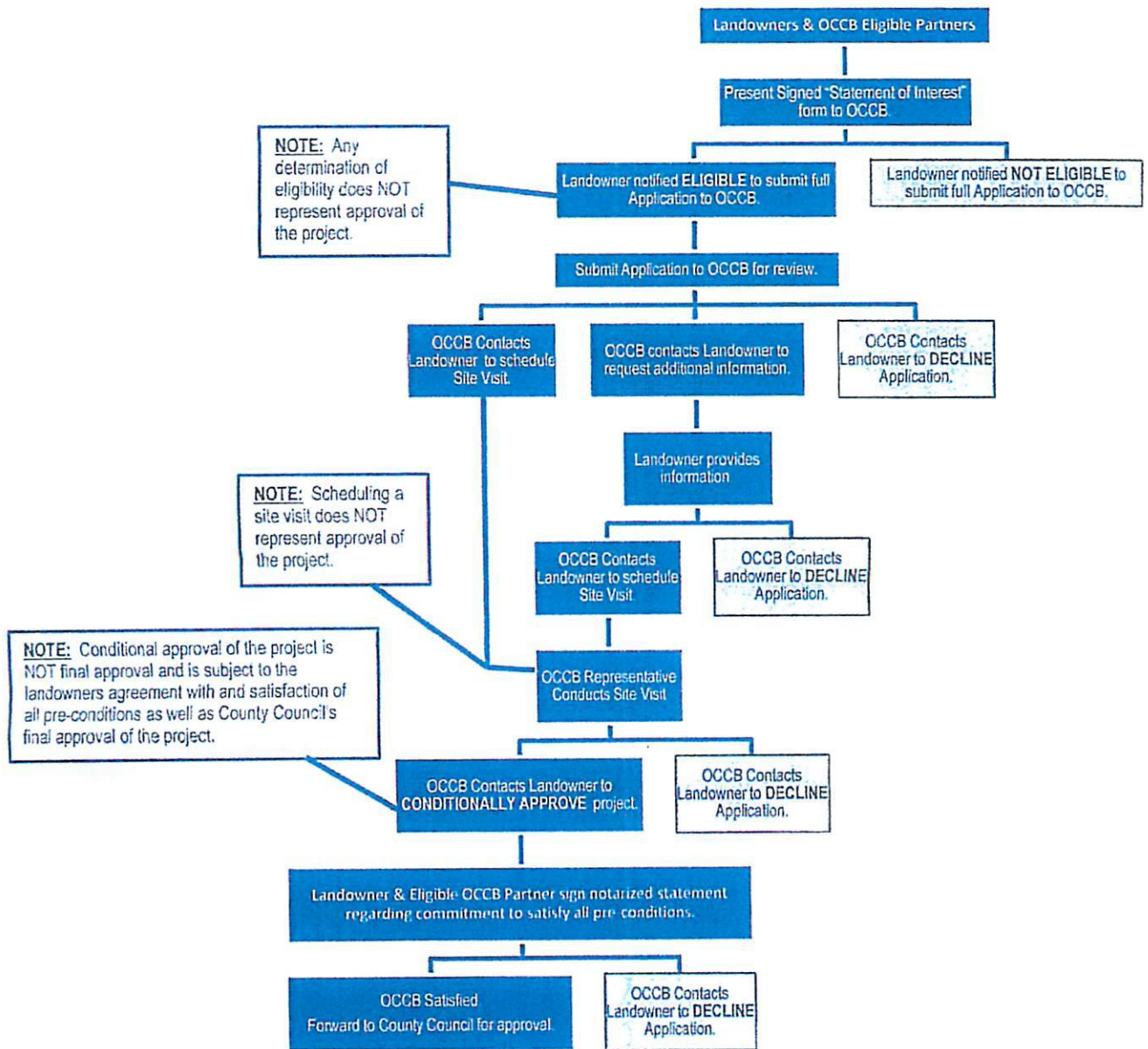
ANY APPLICATION WILL REPRESENT A BINDING PROPOSAL. ANY APPROVAL, CONDITIONAL OR FINAL, IS CONTINGENT UPON THE LANDOWNER'S FULFILLMENT OF ANY AND ALL PLEDGES AND PROPOSALS AS PRESENTED IN THE APPLICATION.



Oconee County Conservation Bank PROPERTY OWNER STATEMENT OF INTEREST PROCESS FORM

1. Landowner and their OCCB eligible “partner” (*e.g., a non-profit managed to hold conservation lands, government body or other eligible entity*) present a signed “Statement of Interest” form to the OCCB. Landowner will be notified if their property is eligible and to submit a full application to the OCCB. **[NOTE: Any such determination of eligibility to apply does not represent approval of the project.]**
2. Landowner and their OCCB eligible “partner” submit full application with substantiation to the OCCB for review.
OCCB contacts landowner to
 - (i) request additional information,
 - (ii) decline the application, or
 - (iii) schedule a site visit. **[NOTE: the scheduling of a site visit does not represent approval of any project.]**
3. Landowner provides additional requested information, if necessary.
OCCB contacts landowner to
 - (i) decline the application, or
 - (ii) schedule a site visit. **[NOTE: the scheduling of a site visit does not represent approval of any project.]**
4. OCCB representatives or agents make scheduled site visits to each property in the application cycle deemed appropriate for a site visit. **[NOTE: the scheduling of a site visit does not represent approval of any project.]**
After the site visits are completed, OCCB contacts the landowner to
 - (i) decline the application, or
 - (ii) conditionally approve the project. **[NOTE: Conditional approval is not final approval and is subject to the landowner’s agreement with and satisfaction of all pre-conditions as well as County Council’s final approval of the project.]**
5. For each conditionally approved project, the landowner and their eligible OCCB must sign a notarized statement stating their commitment to satisfy all pre-conditions and must prove to the OCCB’s satisfaction that all pre-conditions have been met.
Upon receiving such commitment and satisfaction, the OCCB will prepare any such properties for presentation to the Oconee County Council.

NOTE: Only Oconee County Council can finally approve any project and no project shall be considered approved or final until such final approval is granted. The landowner and eligible OCCB partner remain fully responsible for all expenses and costs associated with application to and interaction with the OCCB throughout the application process. The landowner and eligible OCCB partner will only be reimbursed for those expenses and costs associated with application to and interaction with the OCCB if such reimbursement is sought in the grant application and finally approved by the OCCB and Oconee County Council.



KEVIN MOORE
 90 W. 10th Street
 St. Paul, MN 55102
 612-291-1111
 kevin@kevinmoore.com

ELEVATION ON EACH REVISION PROCESS
 TYPICAL 5' RESOLUTION OF AN EXISTING
 PLANET OF RECORD WITH CHANGES TO
 EXISTING PROPERTY LINES

STUBEN & EDWARDS & ASSOCIATES, INC.
 100 W. Wacker Drive, Suite 2000
 St. Paul, MN 55108
 612-291-1111

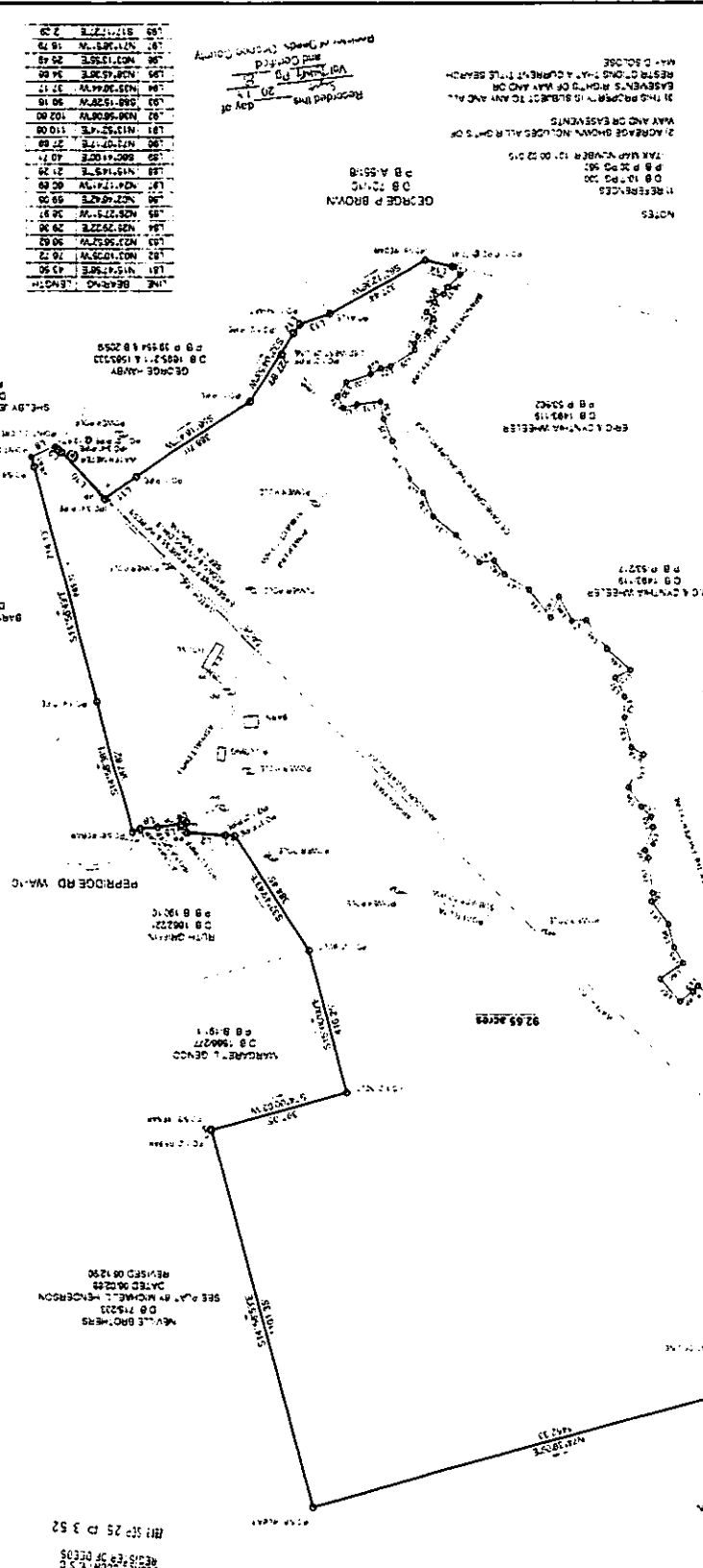
SCALE: 1" = 40'

NORTH

NOTES:
 1. REFER TO SHEET 100-001 FOR ALL NOTES.
 2. ALL DIMENSIONS ARE IN FEET AND INCHES.
 3. THE PROPERTY IS SUBJECT TO ANY AND ALL
 EASEMENTS, RIGHTS OF WAY AND OR
 RESTRICTIONS THAT CURRENTLY EXIST.
 4. MAINTENANCE OF THIS BEACH

REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF MINNESOTA
 NO. 10000

REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF MINNESOTA
 NO. 10000



LINE BEARING LENGTH

L100	N 89° 59' 59" W	100.00
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Registered this 20th day of
 May 2011
 at the County of Hennepin
 and State of Minnesota
 Surveyor
 KEVIN MOORE

FILED FOR RECORD
 COUNTY OF HENNEPIN
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 10000
 KEVIN MOORE

GEORGE P. BROWN
 O B 10000
 O B 10000
 O B 10000

NEW L. BROTHERS
 O B 10000
 O B 10000
 O B 10000



Oconee County Conservation Bank
PROPERTY OWNER
STATEMENT OF INTEREST FORM
Oconee County, South Carolina

Property Owner Name Morris Family Revocable Trust

Property Owner Address 299 Pearson Road, Tamasee, SC 29686

Eligible OCCB Recipient Name and Address Upstate Forever
507 Pettrigru Street
Greenville, SC 29601

Property Owner Telephone Numbers Home: 8649442342
Cell: _____
Work: _____

Description & Size of Your Property in Acres:
This project site is over 25 acres of mostly hardwood forest. The site is bounded by Mill Creek and its tributary.

General Location of Your Property:
In general, the project site is located north of Highway 11, east of Highway 130, adjacent to State Forestry land.

Oconee County Tax Map Number[s] *[required]* 036-00-02-007; 036-00-02-008

Your Property's Unique Characteristics:
The project site's proximity to forestry land and Mill Creek, together with the goal to preserve the native habitat makes this property a valuable refuge to the actively managed forestland.

THIS STATEMENT OF INTEREST, AS PRESENTED, REPRESENTS A BINDING PROPOSAL. ANY APPROVAL, CONDITIONAL OR FINAL, IS CONTINGENT UPON THE LANDOWNER'S FULFILLMENT OF ANY AND ALL PLEDGES AND PROPOSALS AS PRESENTED IN THE APPLICATION. IN ADDITION, I HAVE RECEIVED AND READ BOTH THE "KNOW WHAT TO EXPECT" AND "PROCESS" FORMS ATTACHED TO THIS DOCUMENT.

May 18, 2017
Date

Elaine L Morris, trustee
Signature of Landowner

Your signature acknowledges receipt of and a full understanding of the "Know What to Expect" [pg. 3] and the "Process" [pgs. 4-5] Forms.

Completed Form to be forwarded to:

Oconee County Conservation Bank Board
c/o Clerk to Council
Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

or
via email to: ksmith@oconeesc.com

Katie Smith

From: Katie Smith
Sent: Thursday, May 25, 2017 11:54 AM
To: 'classadmgr@upstatetoday.com'
Subject: RE: Classified Ad# 22098 Confirmation

Yes this is good. Thank you!

Katie

Katie D. Smith
Clerk to Council
Oconee County
415 S. Pine St. Walhalla
864.718.1023
Fx. 864.718.1024
ksmith@oconeesc.com

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From: classadmgr@upstatetoday.com [<mailto:classadmgr@upstatetoday.com>]
Sent: Thursday, May 25, 2017 11:29 AM
To: Katie Smith
Subject: Classified Ad# 22098 Confirmation

Hi Katie, This ad hasn't been in the paper due to a hold on it waiting approval. The meeting for June 6 ran on May 24. Can this run tomorrow, May 26? The wrong email address was on the account is the reason it was never approved. The address has been changed so it won't happen again. My apologies for any inconvenience this may have caused. Please let me know if this can run tomorrow. Thanks, Jenny White

THE JOURNAL

Classified Advertisi

OCONEE COUNTY COUNCIL
415 S PINE ST
WALHALLA, SC 29691

Acct#:63488
Ad#:22098
Phone#:864-718-1023
Date:05/25/2017

Salesperson: JWHITE Classification: Legals Ad Size: 1.0 x 0.70

Advertisement Information:

Description	Start	Stop	Ins.	Cost/Day	Total
The Journal	05/24/2017	05/24/2017	1	29.00	29.00

Payment Information:

Date: Order# Type
05/23/2017 22098 BILLED ACCOUNT

Total Amount: 29.00

Amount Due: 29.00

Comments: MEETING OF THE OCONEE COUNTY CONSERVATION BANK BOARD - JUNE 8, 2017

Attention: Please return the top portion of this invoice with your payment including account and ad number.

Ad Copy

THE OCONEE COUNTY
Conservation Bank Board will meet
at 9:00 a.m., Thursday, June 8, 2017
in the Oconee County Council
Chambers, 415 S. Pine Street,
Walhalla, SC 29691.

judgment prior to sale, in which case the bidding will not remain open after the date of sale, but compliance with the bid may be made immediately.

Purchaser to pay for documentary stamps on Clerk of Court's Deed. The successful bidder will be required to pay interest on the balance of the bid from the date of sale to date of compliance with the bid at the rate of 3.250% per annum.

The Plaintiff may waive any of its rights, including its right to a deficiency judgment, prior to sale.

The sale shall be subject to taxes and assessments, existing easements and restrictions of record.

This sale is subject to all title matters of record and any interested party should consider performing an independent title examination of the subject property as no warranty is given.

The sale will not be held unless either Plaintiff's attorney or Plaintiff's bidding agent is present at the sale and either Plaintiff's attorney or Plaintiff's bidding agent enters the authorized bid of Plaintiff for this captioned matter. In the alternative, Plaintiff's counsel, if permitted by the Court, may advise this Court directly of its authorized bidding instructions. In the event a sale is inadvertently held without Plaintiff's Counsel or Counsel's bidding agent entering the authorized bid of Plaintiff for this specifically captioned matter, the sale shall be null and void and the property shall be re-advertised for sale on the next available sale date.

Neither the Plaintiff nor its counsel make representations as to the integrity of the title or the fair market value of the property offered for sale. Prior to bidding you may wish to review the current state law or seek the advice of any attorney licensed in South Carolina.

Beverly H. Whitfield
Clerk of Court for Oconee County
Scott and Corley, P.A.
Attorney for Plaintiff

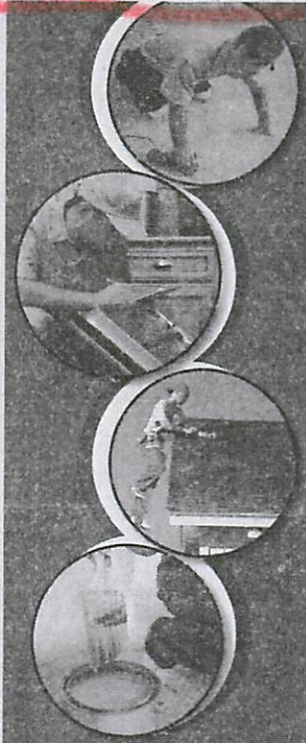
CLERK OF COURT
NOTICE OF SALE
2016-CP-37-00729

BY VIRTUE of a decree heretofore granted in the case of: Branch Banking and Trust Company vs. David R. Feldmeth a/k/a David

South Carolina.
Beverly H. Whitfield
Clerk of Court for Oconee County
Scott and Corley, P.A.
Attorney for Plaintiff

THE OCONEE COUNTY

Conservation Bank Board will meet at 9:00 a.m., Thursday, June 8, 2017 in the Oconee County Council Chambers, 415 S. Pine Street, Walhalla, SC 29691.



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PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

IN RE: MEETING OF THE OCONEE COUNTY CONSERVATION BANK BOARD - JUNE 8, 2017

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 05/26/2017 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager

Subscribed and sworn to before me this
05/26/2017



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024

