

Department of Public Works 540/665-5643 FAX: 540/678-0682

MEMORANDUM

TO: Public Works Committee

FROM: Joe C. Wilder, Director of Public Works

SUBJECT: Meeting of May 28, 2019

DATE: May 22, 2019

There will be a meeting of the Public Works Committee on Tuesday, May 28, 2019 at 8:00 a.m. in the conference room located on the second floor of the north end of the County Administration Building at 107 North Kent Street, Suite 200. The agenda thus far is as follows:

1. Quitclaim request for Shawneeland Lot 19.

(Attachment 1)

2. Discuss the contribution from the Community Inmate Workforce.

(Attachment 2)

3. Proposed Fiscal Year 2018/2019 carry forward requests for Shawneeland, Animal Shelter, Solid Waste and the Landfill.

(Attachment 3)

- 4. Update on Landfill Projects and Public Works projects.
- 5. Miscellaneous Reports:
 - a. Tonnage Report: Landfill

(Attachment 4)

b. Recycling Report

(Attachment 5)

c. Animal Shelter Dog Report:

(Attachment 6)

d. Animal Shelter Cat Report

(Attachment 7)

JCW/kco

Attachments: as stated



COUNTY OF FREDERICK

Roderick B. Williams
County Attorney

540/722-8383 Fax 540/667-0370 E-mail rwillia@fcva.us

MEMORANDUM

TO: Public Works Committee

FROM: Roderick B. Williams

County Attorney

DATE: April 1, 2019

RE: Shawneeland Tax Parcel Number 49A04-1-K-19 – Request for Quitclaim Deed

from County

Jennifer Larrick, the record owner of what County tax and GIS records show as Tax Parcel Number 49A04-1-K-19 ("Lot 19") in Shawneeland, has requested that the County execute a quitclaim deed to her, with respect to that lot, to rectify a title issue. Ms. Larrick in 2018 paid \$2,000.00 to a private party for a deed to Lot 19, but it appears that Lot 19 was never validly created by subdivision.

Lot 19 is shown outlined in red on the attached map. Ms. Larrick also owns Lots 17 and 18 immediately to the south of Lot 19. The large adjacent area, outlined in blue and denoted with the letter "F", is part of the Shawneeland open space area, owned by the County since conveyance from HALOAS in 1988.

The original subdivision plat, executed by Marjec, Inc. in 1959, for the relevant portion of Shawneeland, never created Lot 19. Instead, the area encompassing what the tax and GIS records now show as Lot 19 was left unsubdivided and part of what is now the open space area owned by the County. A copy of the deed of subdivision, recorded in Deed Book 261, at Page 464, is attached hereto, with the relevant area circled in red.

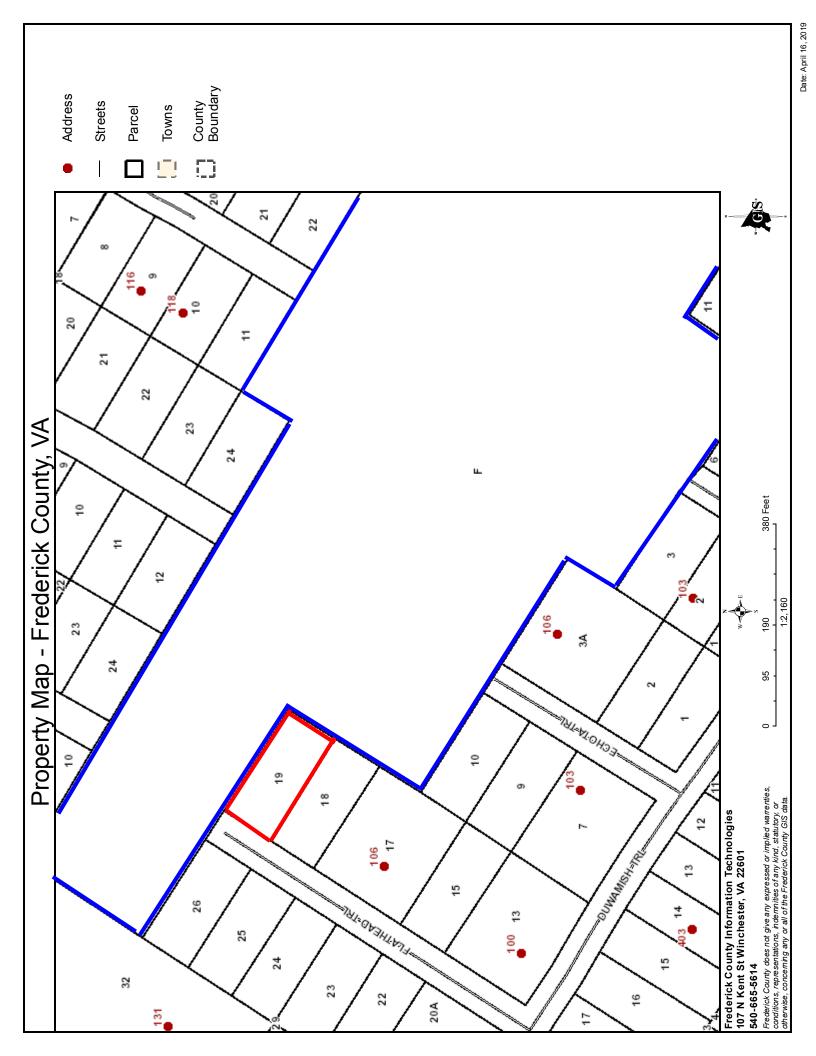
In 1963, Marjec, Inc. nonetheless purported to convey Lot 19 to William Alston Duggan and Jewel Marie Duggan, husband and wife, for consideration, by deed recorded in Deed Book 297, at Page 252 (copy attached). In 2018, the Duggans having since passed away, the Duggans' heirs sold Lot 19 to Ms. Larrick for \$2,000.00, by deed recorded as Instrument Number 180007627 (copy attached).

At some point after conveyance of Lot 19 to the Duggans in 1963, the County apparently noted Lot 19 in the vicinity where the County shows it today and began billing real estate taxes and any applicable fees against Lot 19, with Lot 19 effectively existing over the top of what today is the open space area owned by the County. Current Treasurer's records show that all taxes and fees since 2015 have been paid. Basic tax records for Lot 19 do not go back further than that, but the current zero balance suggests full payment of all taxes and fees for the last 20 years (the statute of limitations period for which real estate taxes are enforceable), as payments are applied to the oldest collectible taxes and fees due. Therefore, Ms. Larrick and the Duggans or their representatives appear to have paid taxes and fees for Lot 19, seemingly reflecting a good faith belief by these different parties that they owned Lot 19 at the relevant times.

Ms. Larrick has requested that the County execute a quitclaim deed to her for Lot 19 and has tendered a survey of the area involved. The effect of such a deed would simply be to divest any claim by the County to the Lot 19 area of 13,125 square feet. Instead of the area being subject to a claim by the County that it is part of the open space area, the Lot 19 area would vest in Ms. Larrick, free of any County claim. This appears consistent with Ms. Larrick's and the Duggans' conduct over the years, most notably the payment of taxes and fees for land that they thought they owned.

A draft quitclaim deed, with a copy of the survey plat from Ms. Larrick, is attached. I do also recommend one condition for delivery of a quitclaim deed to Ms. Larrick and that is that Ms. Larrick execute a waiver and release by which she agrees not to make any claim against the County for any taxes and fees that she paid for Lot 19 prior to delivery of the quitclaim deed. A copy of the proposed waiver is attached as well. A recommendation from the Committee as to whether to forward this matter to the Board for the scheduling of a public hearing on disposition of any County interest in Lot 19 is requested.

Attachments



Joe Weed & Correction & Deducation Les Dad Book 340 pg. 556.

L. R. SWARTZ (SEAL)

VIRGINIA GRAY SWARTZ (SEAL)

State of Virginia, County of Frederick,

I, Kathleen R. Kline, a Notary Public in and for the County and State aforesaid, do hereby certify that L. R. Swartz and Virginia Gray Swartz, his wife, whose names are signed to the foregoing writing, bearing date January 13, 1960, have personally appeared before me and acknowledged the same in my County and State aforesaid.

My commission expires June 19, 1960.

Given under my hand this 13th day of January, 1960.

KATHLEEN R. KLINE Notary Public

VIRGINIA FREDERICK COUNTY, (SCT.

This instrument of writing was produced to me on the 3rd day of February 1960 at 1:25 P. M. and with certificate of acknowledgment thereto annexed was admitted to record.

lee O. Whiere , CLERE

#162
MARJEC, INCORPORATED
TO ::: DEED OF DEDICATION

THIS INSTRUMENT, made and dated this 30th day of December, 1959, by Marjec, Incorporated, a corporation organized and existing under the laws of the State of Maryland and licensed to do business in the State of Virginia, who are the lot owners in that certain plat drawn by Richard U. Goode, Certified Surveyor, surveyed December 14, 1959, and attached hereto and made a part of this deed of dedication.

WHEREAS, a meeting of the Board of Directors of Marjec, Incorporated, was held in Frederick County, Virginia, on the 14th day of December, 1959, said meeting having been called for the purpose of considering and acting upon the proposed subdividing into lots of a portion of that certain tract or parcel of land which was conveyed to Marjec, Incorporated, by deed from Walter D. Myers and wife, dated the 29th day of June, 1956, and of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia, in Deed Book 242, page 292. Said proposed plat is designated "Shawnee Land, Section K, Lots 1 - 4, 7 - 10, 13 - 18, 20 - 25, 27 - 48, and 50 - 72; Section L, Lots 1 - 16; and Section M, Lots 1 - 23, and providing for the following named streets: Duwamish Trail, Delaware Trail, Echota Trail, Flathead Trail, Genesee Trail, and Tomahawk Trail, each with a width of fifty (50) feet. Said sections and lots on said plat lying South of and adjoining Tomahawk Trail and immediately West of and adjoining Section P heretofore platted and dedicated by instrument dated September 19, 1959, and of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia, and bounded on the West, South, East and partly on the North by the other land of Marjec, Incorporated; and,

WHEREAS, all of the Directors of the Corporation signed a waiver of notice of the time, place and purpose of said special meeting and consented to the same being held in Frederick-County, Virginia, upon the property of the Corporation, and that any business transacted at such meeting should be as valid and

effective as though it were held after notice duly given and published; and,

WHEREAS, at the said Directors meeting the following resolution was adopted; said resolution being in words and figures as follows:

"Be It Resolved, that Marjec, Incorporated, subdivide into lots Section K, Lots 1 - 4, 7 - 10, 13 - 18, 20 - 25, 27 - 48, and 50 - 72; Section L, Lots 1 - 16; and Section M, Lots 1 - 23, being a portion of that certain larger tract or parcel of land which was conveyed to Marjec, Incorporated, by deed of Walter D. Myers and wife, dated the 29th day of June, 1956, and of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia, in Deed Book 242, page 292, with certain streets to be shown thereon named Duwamish Trail, Delaware Trail, Echota Trail, Flathead Trail, Genesee Trail, and Tomahawk Trail, each with a width of fifty (50) feet, and that the plat of Richard U. Goode, Certified Surveyor, surveyed December 14, 1959, be adopted as a subdivision of said parcel of land, and that said plat be, and the same is hereby approved, and that this deed of dedication does not include the dedication of the streets, trails or rights of way set forth on said plat for the use and benefit of the public, but only as a right of way to and from said lots for the use and benefit of the lot owners and their assignees, invitees and guests.

Be It Further Resolved, that a meeting of the Stockholders of Marjec, Incorporated, be called to be held upon the property of the said Corporation, in the County of Frederick, Virginia, on the 21st day of December, 1959, to consider, ratify, confirm and approve or reject the platting of a portion of the Corporation's land as set forth above, and that the said plat, together with the deed of dedication, be submitted to the Stockholders at a meeting duly assembled for the approval of said Stockholders; and that the said Stockholders grant authority to the proper officers and officials to prepare and execute all deeds of dedication and deeds of conveyance of said lots, and that they also obtain approval of the same from the Board of Supervisors of Frederick County, Virginia, and all other proper officials and persons, according to the ordinances of the County of Frederick and the statutes of Virginia;" and,

WHEREAS, the meeting of the Stockholders of Marjec, Incorporated, was held, pursuant to the call of the Board of Directors, upon the property of the Corporation, in the County of Frederick Virginia, at 10:00 A. M., on the 21st day of December, 1959, waiver of the notice of the time, place and purpose of said special meeting and consent of same being held in accordance with the call, and that any business transacted at such meeting shall be as valid and effective as though held after notice duly given and published; and,

WHEREAS, all of the Stockholders were present at said Stockholders meeting; and.

WHEREAS, at said Stockholders meeting the following resolution was adopted by affirmative vote by all of the Stockholders present; said resolution being in words and figures as follows:

"Be It Resolved, that the Stockholders of Marjec, Incorporated, approve, ratify and confirm the subdividing, platting and dedication of Section K, Lots 1 - 4, 7 - 10, 13 - 18, 20 - 25, 27 - 48, and 50 - 72; Section L, Lots 1 - 16; and Section M, Lots 1 - 23 as therein set forth, together with the streets designated and named thereon, namely, Duwamish Trail, Delaware Trail, Echota Trail,

Flathead Trail, Genesee Trail, and Tomahawk Trail, each with a width of Fifty (50) feet, all of which have been prepared by Richard U. Goode, Certified Surveyor, and Joseph A. Massie, Jr., attorney for the Corporation; and,

Be It Further Resolved, that this deed of dedication does not include the dedication of the streets, trails or rights of way set forth on said plat for the use and benefit of the public, but only as a right of way to and from said lots for the use and benefit of the lot owners and their assignees, invitees and guests; and,

Be It Further Resolved, that the President and Secretary of this Corporation be directed to execute and acknowledge the same on behalf of the Corporation and to see to it that it is properly approved by the proper officials of said County and State, and that the same be recorded by the Clerk of the Circuit

Court of Frederick County, Virginia; and, Be It Further Resolved, that the President and Secretary of this Corporation, at their discretion, sell said lots and cause to be executed and delivered deeds of conveyance for the same and for a price which is beneficial for the Corporation."

This deed of dedication to said lots is made subject to the following restrictions and covenants which shall be deemed to run with the land for the mutual protection and benefit of all lot owners:

1. Only one building to be used as a dwelling house may be permitted on any one lot, together with one garage. Said dwelling shall have a minimum floor area of 400 square feet, excluding porches or patios, with a frontage of not less than 20 feet. Said building may be of a contemporary period of modern design and may be constructed of wood, log, stone, brick, block or composition.

2. Buildings of a temporary nature, trailers and tents may be permitted for a short time, upon the approval of the Board of Directors of Marjec, Incorporated.

3. Cutting of trees may be permitted on said lots, where necessary, for the clearing of space for the dwelling and garage thereon. 4. No business of any nature whatsoever shall be conducted on

said property, nor shall any buildings for commercial purposes be constructed thereon. 5. Wells for water and septic tanks or chemical toilets for sewe#age must be constructed under the supervision of the Department of Health for Frederick County. No outhouses will be permitted upon the property.

6. Garbage must be kept in covered metal containers or buried. Trash, tin cans, papers, etc. must be kept in wire or metal containers or buried. 7. No signs of any nature whatsoever shall be permitted on the property, except one name sign not exceeding 6 inches in height or 36 inches in length.

8. No building may be erected within 35 feet of any front or

within 10 feet of the side or rear property lines.

9. The Board of Directors of Marjec, Incorporated, or a committee appointed by them, shall determine the acceptability of the design and construction. which plan shall be presented to them before the erection of any building. 10. No lot or part thereof shall be sold, used or occupied by any

person not of the Caucasian race.

ll. This deed of dedication does not include the dedication of the streets, trails or rights of way set forth on said plat for the use and benefit of the public, but only as a right of way to and from said lots for the use and benefit of the lot owners and their assignees, invitees and guests.

The said Corporation does hereby declare that it is the owner of said property and that it desires to dedicate and does hereby make this deed of dedication of said subdivision of its own free will and consent.

WITNESS the signature of Donald R. Lamborne, President of Marjeck Incorporated, and its Corporate Seal hereto affixed and attested by Jean Lamborne, its Secretary, the first date hereinabove written.

(Corporate Seal) Attested By:

MARJEC, INCORPORATED DONALD R. LAMBORNE President

JEAN LAMBORNE Secretary

State of Virginia County of Frederick, To-wit:

I, Janet M. Castleman, a Notary Public in and for the County and State aforesaid, do hereby certify that Donald R. Lamborne, President of Marjec, Incorporated, and Jean Lamborne, Secretary of said Corporation, whose names are signed to the foregoing writing, bearing date on the 30th day of December, 1959, have this day personally appeared before me in my County aforesaid and acknowledged the same.

> Given under my hand this 28th day of January 1960. My commission expires January 31, 1960.

> > JANET M. CASTLEMAN Notary Public

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VIRGINIA FREDERICK COUNTY. (SCT.

This instrument of writing was produced to me on the 3rd day of February 1960 at 4:35 P. M. and with certificate of acknowledgment thereto annexed was admitted to record.

La . Whicare , CLERY

Obrace Printed #163
PAUL K. BARNETT, ET UX
TO :: DEED *
CLARA H. PURSEL *

THIS DEED made and dated this 27th day of January, 1960, by and between Paul K. Barnett and Helen B. Barnett, his wife, parties of the first part, and Clara H. Pursel, party of the second part.

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said parties of the first part do hereby grant, sell, and convey, with general warranty of title, unto the party of the second part, her heirs and assigns forever, all of that certain lot or parcell of land, together with all improvements and appurtenances thereto belonging, lying and being situate about three miles Northwest of Winchester, in Stonewall District, Frederick County, Virginia, and being the same land identified and designated as Lot No. 10 on the plat of the R. G. Edwards Subdivision, which is of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia, in Deed Book No. 196, pages 598 and 599, said lot having a frontage of 65 feet along the Southern side of Hudson Avenue, and extending back Southward between parallel lines a distance of 199.5 feet, and being the same land that was conveyed to the parties of the first part by Harris C. Lewin et ux, by deed dated March 30, 1959, and of record in the aforesaid Clerk's Office in Deed Book No. 258, page 303. A reference to said records, and to the references therein contained, is here made for a further and more particular description of said land.

It is expressly stipulated that said land is conveyed subject to all applicable or enforceable restrictions and easements of record affecting same.

The aforesaid grantors covenant that they have the right to convey the said land to the aforesaid grantee; that the said grantee shall have quiet possession of the said land, free from all encumbrances; that they have done no act to encumber the said land; and that they will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

 PAUL K. BARNETT (SEAL)
HELEN B. BARNETT (SEAL)

State of Virginia County of Frederick, to-wit:

I, Virginia Ritter, a Notary Public in and for the County of Frederick, in the State of Virginia, do hereby certify that Paul K. Barnett and Helen B. Barnett, his wife, whose names are signed to the foregoing writing bearing date of January 27th, 1960, have personally appeared before me, in my county aforesaid, and acknowledged the same.

#392
MARJEC, INCORPORATED
TO: :: : : : DEED
WILLIAM ALSTON DUGGAN, ET UX

Market to Dufferd Stillian for diff 5918 from 3.9.64

BOOK 297 PAGE 252

THIS DEED, made and dated this 10th day of July, 1963, by and between Marjec, Incorporated, a corporation organized and existing under the laws of the State of Maryland and licensed to do business in the State of Virginia, party of the first part, and William Alston Duggan and Jewel Marie Duggan, his wife, parties of the second part.

of Ten Dollars (\$10.00) and other good and valuable considerations, receipt of all of which is hereby acknowledged, the party of the first part does hereby grant, bargain, sell and convey, with general warranty of title, unto William Alston Duggan and Jewel Marie Duggan, his wife, jointly in fee simple as tenants by the entirety, with the right of survivorship as at common law, all of the following described property:

All of that certain lot or parcel of land designated as Lot No. 19, in Section K, of the plat and plan of "Shawnee Land," which plat, together with the deed of dedication, are of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia, in Deed Book 261 at page 464. This is part of a larger tract or parcel of land which was conveyed to the party of the first part by deed of Walter D. Myers and wife dated the 29th day of June, 1956, and of record in the aforesaid Clerk's Office in Deed Book 242 at page 292, to which plat, deed of dedication and deed hereinabove mentioned reference is hereby made for a more particular description of the property hereby conveyed.

This lot or parcel of land is conveyed subject to all of the restrictions set forth in said deed of dedication which are covenants running with the land in accordance with the authority granted therein. It is further understood and agreed between the parties hereto that all of the conditions in that certain contract of sale and purchase entered into between the parties hereto for the hereinabove described lot prior to the date of this deed are not to be merged into this deed, but are to survive and to be in full force and effect hereafter.

IASSIE. SNARR & MONAMAN ATTORNEYS AT LAW WINCHESTER, VIRGINIA

800X 297 PAGE 253

The party of the first part covenants that it has the right to convey the said land to the said parties of the second part; that the said parties of the second part shall have quiet possession of said land, free from all encumbrances except as hereinabove set forth; that the said party of the first part to its knowledge has done no act to encumber said land; and that it will execute such further assurances of title as may be requisite.

IN WITNESS WHEREOF, the said Marjec, Incorporated, has caused this deed to be executed, acknowledged and delivered on its behalf by Donald R. Lamborne, its President and duly authorized agent, and its Corporate Seal to be affixed and attested by Jean Lamborne, the Secretary, this 10th day of July, 1963.

MARJEC, INCORPORATED

prate Seal)

STATE OF VIRGINIA

COUNTY OF FREDERICK, To-wit:

I, Janet M. Castleman, a Notary Public in and for the County and State aforesaid, do certify that Donald R. Lamborne and Jean Lamborne, President and Secretary respectively of Marjec, Incorporated, whose names are signed to the foregoing writing, bearing date on the 10th day of July, 1963, have personally appeared before me in my County and State aforesaid and acknowledged the same.

Given under my hand this 27^{44} day of

My commission expires January 22, 1964.

MASSIE. BHARR & MONAHAN ATTORNEYS AT LAW WINCHESTER, YIRGINIA

> This Instrument of writing was produced to me on the 24th day of French Land VIRGINIA FREDERICK COUNTY, SCT. to record.

PREPARED BY LAW OFFICES

SHREVES, SCHUDEL SCHUDEL, SAUNDERS, JACKSON & PARELLO, PLLC

500 West Jubal Early Drive, Suite 100 Winchester, VA 22601

P:540-723-0602

DEED

This Deed, made this 30 day of 2018, by and between Alice Maud Watkinson and Caroline Julie Popp, as Devisees of the Estate of Jewel Marie Duggan, GRANTORS, and Jennifer Larrick, GRANTEE;

WITNESSETH

That for and in consideration of the conveyance made hereby, the consideration received by the GRANTORS and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the GRANTORS subject to the matters described herein, hereby grant and convey to the GRANTEE with General Warranty and English Covenants of Title, in fee simple unto the GRANTEE, Jennifer Larrick sole owner, the following described real estate, situate, lying and being in Frederick County, Commonwealth of Virginia, (the "Real Estate"), to wit:

SEE LEGAL DESCRIPTION ON EXHIBIT A ATTACHED HERETO

AND BEING the same property conveyed by Marjec, Incorporated, a corporation unto William Alston Duggan and Jewel Marie Duggan by virtue of a deed dated July 10, 1963 and recorded February 24, 1964 in Deed Book 297 at Page 252 among the land records of Frederick County, Virginia.

NOTE: Jewel Marie Duggan departed this life on July 26, 2011 as per Will recorded in 11-190, Fiduciary Number FI-2011-00001412, devising said property to Caroline Julia Popp and Alice Maud Watkinson.

The Real Estate is conveyed subject to all recorded easements, conditions, restrictions, and agreements that lawfully apply to the Real Estate or any part thereof.

The GRANTORS covenant that said GRANTORS have the right to convey the Real Estate, that the GRANTORS have done no act to encumber the Real Estate; that the said GRANTEE shall have quiet possession of the Real Estate; and that the GRANTORS will execute such further assurances as may be requisite.

Grantee's Address: Lot 19 Shawnee Land, , VA PO BOX 386, Capon Bridge, WV

Assessed Value:\$7,000.00

Underwriter: Commonwealth Land Title Insurance Company

Prepared By: Jim Pope Va. Bar No. 24886

26711

49A04-1-K-19

Tax Map Number: 49A4K์19

Consideration:\$2,000.00

Case:236272WIN

VSB#:

Deed Page 2 Case No. 236272WIN
Case No. 2502/20010
Witness the following signatures and seals:
Alice Watkinson, Devisee of the Estate of Jewel Marie Duggan
see attached
Caroline Julie Popp, Devisee of the Estate of Jewel Marie Duggan
Commonwealth of Virginia, City/County of:ames Cityto wit:
I, the undersigned, a Notary Public for the jurisdiction aforesaid, do certify that Alice Maud Watkinson, as Devisee of the Estate of Jewel Marie Duggan, whose name is signed to the foregoing document, bearing the date of thefst day ofdayst, 2018, acknowledged the same before me in my jurisdiction aforesaid, this
StDhy NOTARY 81
Notary Public Public Public Public REG #7708345
My Commission Expires:
WEALTH CHANGE
Commonwealth of Virginia, City/County of: to wit:
l, the undersigned, a Notary Public for the jurisdiction aforesaid, do certify that Caroline Julia Popp, as Devisee of the Estate of Jewel Marie Duggan,, whose name is signed to the foregoing document, bearing the date of the day of, 2018, acknowledged the same before me in my jurisdiction aforesaid, this day of, 20
Notary Public
My Commission Expires:
$\int \int dx dx dx dx$

Deed Page 2 Case No. 236272WIN	Akt.
Witness the following signatures and seals:	25
sel page 30t of	P60310
Alice Watkinson, Devisee of the Estate of Jewel Marie Duggan	
Caroline Julie Popp, Devisee of the Estate of Jewel Marie Duggan	
Commonwealth of Virginia, City/County of: to wit:	
I, the undersigned, a Notary Public for/the jurisdiction aforesaid, do certify that Alice Mat Watkinson, as Devisee of the Estate of Jewel Marie Duggan, whose name is signed to foregoing document, bearing the date of the day of, 2018, acknowledged is same before me in my jurisdiction aforesaid, this day of, 20	the
State of Mayland Commonwealth of Virginia, City/County of: 6t- Mary's to wit:	, se
I, the undersigned, a Notary Public for the jurisdiction aforesaid, do certify that Caroline Julia Popp, as Devisee of the Estate of Jewel Marie Duggan,, whose name is signed to foregoing document, bearing the date of the 30 day of 2018, acknowledged to same before me in my jurisdiction aforesaid, this 30 day of 2018	the the
March C. Myan	
Notary Public	
My Commission Expires: 12 23 1020	



Deed Page 3 RGS Case No. 236272WIN

Exhibit A

Legal Description

All of that certain lot or parcel of land designated as Lot No. 19, in Section K, of the plat and plan of Shawnee Land," which plat, together with the Deed of Dedication, are od record in the Clerk's Office of the Circuit Court of Frederick County, Virginia, in Deed Book 261 at Page 464. Back Creek District

VIRGINIA: FREDERICK COUNTY.SCI.
This instrument of writing was produced to me on

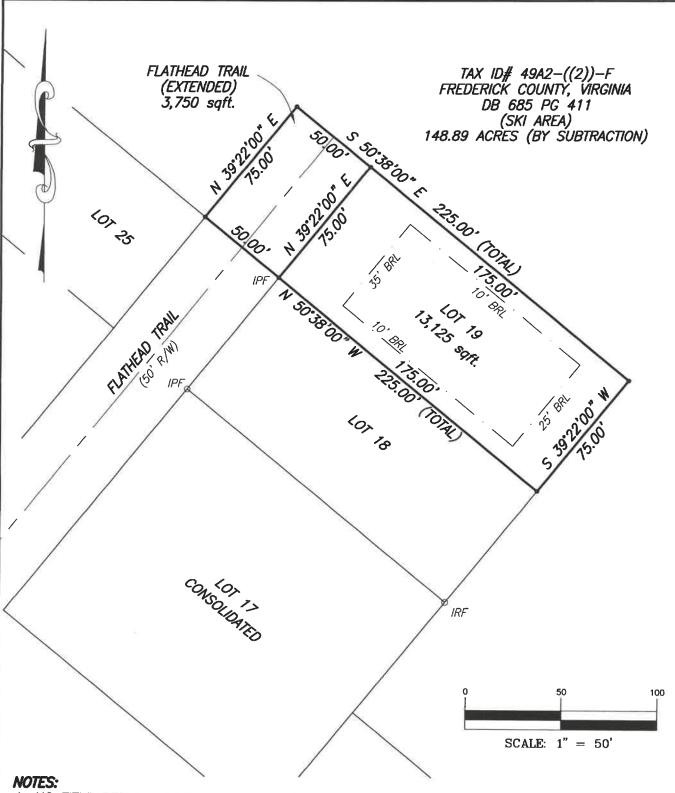
and with certificate acknowledgement thereto annexed was admitted to record. Tax imposed by Sec. 58.1-802 of

and 58.1-801 have been paid, if assessable

Tax Map Parcel: 49A04-1-K-19	Consideration: \$0.00
Grantee's Address:	Prepared by: Roderick B. Williams VSB#34310
THIS QUITCLAIM DEED, made to	this day of, 2019, by and between
THE COUNTY OF FREDERICK, VIRG	INIA, GRANTOR, and <u>Jennifer LARRICK</u> ,
GRANTEE;	
W	ITNESSETH:
THAT FOR AND IN CONSIDERA	ΓΙΟΝ of the sum of TEN DOLLARS (\$10.00) cash
in hand paid by the Grantee to the Grantor, a	and other good and valuable consideration, the
receipt whereof is hereby acknowledged, the	e Grantor does hereby quitclaim, release and convey
to the Grantee, all right, title and interest of	the Grantor in and to the property identified as Lot
19 on the attached Final Plat for Shawneelar	nd, Section K, Lot 19, prepared by Darren S. Foltz,
L.S., dated April 7, 2019, said property being	g located in the Back Creek Magisterial District of
the County of Frederick, Virginia.	
WITNESS the following signature an	nd seal:
	COUNTY OF FREDERICK, VIRGINIA
	(SEAL)
STATE OF VIRGINIA, AT LARGE, CITY OF WINCHESTER, to-wit:	
The foregoing instrument was acknown 2019, by Kris C. Tierney, County Administr	<u> </u>
	Notary Public Registration number: My Commission expires:

	Shawnee-I	and Facility		
	Trast Confe Je			800
	SITE SITE	Cent sec	Clowser	
1,000			831 Quarties	
			A sand	
			To:	20)
	TEN Y	Jose Trans	Q=)	
	VICINITY MAP ~ SC			
PARENT TRACT INFORMATI	ION: TAX ID #: 49A4-((1))–(K)–19 ZONEL): R5 USE: V/	4 <i>CANT</i>
OWNER'S CERTIFICATE:				
N THE NAME OF JENNIF	NICATION OF THE FOLLOWIN ER LARRICK, IS WITH THE IDERSIGNED OWNERS, PRO	FREE CONSENT AND II	N ACCORDANCE W	NDING VITH
		JENNIFER LARF	RICK	
NOTARY: STATE OF				
CITY / COUNTY				
THE FOREGOING INSTRUM	MENT WAS ACKNOWLEDGED	BEFORE ME ON		
BY JENNIFER LARR	YCK	-	(DATE)
(NOTARY)	MY CO	OMMISSION EXPIRES		
APPROVALS:				
FREDERICK COUNTY SUBL	DIVISION ADMINISTRATOR	DATE	_	_
PORTION OF THE LAND C	T THE LAND CONTAINED IN ONVEYED TO JENNIFER LAI OFFICE OF THE CLERK OF 180007627.	RRICK, BY DEED DATED	JULY 30. 2018.	
		DARREN	S. FOLTZ, L.S.	_
THOSE THOSE		FINAL PLAT		
No.		AND ~ SECTION I		
DARREN S FOLTZ A LIC. MD. 2257	BACK CREEK MAGIS DATE: APRIL 7, 2019	TERIAL DISTRICT, FREDER SCALE: 1" = 50'	RICK COUNTY, VIRGI FILE#: 18-057	NIA
LIC. M. 2257	Foltz Lan	d Surveying,	<u> </u>	SHEET
SURVEYOR AND SURVEYOR	P.O. Box 23 Phone #: 540–323	Stephens City, Virginia 226; -1497 ~ www.foltzlandsurvey il: foltz@visuallink.com	55	1 OF 2

P.O. Box 23 Stephens City, Virginia 22655 Phone #: 540–323–1497 ~ www.foltzlandsurveying.com email: foltz@visuallink.com



- 1. NO TITLE REPORT FURNISHED. EASEMENTS OTHER THAN SHOWN MAY EXIST.
- 2. THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AREA OF MINIMAL FLOODING. AS SHOWN ON F.I.R.M. MAP #51069C-0200-D, DATED SEPTEMBER 2, 2009.
- 3. LOT 19 WAS PRELIMINARY PLAT APPROVED BY FREDERICK COUNTY IN 1959. IT WAS LEFT OFF FINAL PLAT APPROVED FEBRUARY 3, 1960.
- 4. PLAT REFERENCE: DEED BOOK 261 PAGE 467.
- 5. LOT 19 WAS SOLD AND DEED RECORDED JULY 10, 1963 TO WILLIAM ALSTON DUGGAN & JEWEL MARIE DUGGAN.
- 6. PROPERTY CORNERS ARE IRON REBAR SET UNLESS NOTED OTHERWISE.

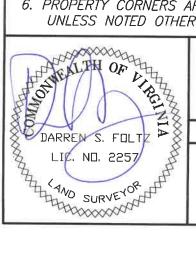
AREA TABULATION:

ORIGINAL AREA = 149.28 ACRES R/W DEDICATION = -0.09 ACRES LOT 19 = -0.30 ACRES

> TOTAL AREA = 148.89 ACRES (BY SUBTRACTION)

LEGEND:

IRF = IRON REBAR FOUND IPF = IRON PIPE FOUND BRL = BUILDING RESTRICTION LINE



FINAL PLAT FOR SHAWNEELAND ~ SECTION K ~ LOT 19

BACK CREEK MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA

DATE: APRIL 7, 2019

SCALE: 1" = 50'

FILE#: 18-057

Foltz Land Surveying, Inc.

P.O. Box 23 Stephens City, Virginia 22655
Phone #: 540-323-1497 ~ www.foltzlandsurveying.com
email: foltz@visuallink.com

SHEET 2 OF 2

WAIVER AND RELEASE

For and in consideration of the delivery of a quitclaim deed for a parcel of land identified as Tax Parcel Number 49A04-1-K-19 ("Lot 19") in Shawneeland and of the mutual benefits to the parties, Jennifer Larrick does hereby waive and release any and all claims that she may have against the County of Frederick (the "County") and/or any of its officers, agents, and/or employees with respect to any taxes and/or fees assessed against and/or paid by her and/or on her behalf for Lot 19 for any period prior to the date of delivery by the County to her of a quitclaim deed as to any interest of the County of Frederick in Lot 19. This waiver and release also includes, but is not limited to, waiver and release of the right to contest the amount of assessment valuation for the purposes of imposition of taxes and/or fees. Delivery of the quitclaim deed is deemed to take place contemporaneous with the execution of this waiver and release.

	Jennifer Larrick
COMMONWEALTH OF VIRGINIA : COUNTY/CITY OF :	
Subscribed and sworn to before me this _	day of, 2019.
	Notary Public
	Registration Number: My Commission expires:



COUNTY of FREDERICK

Department of Public Works 540/665-5643 FAX: 540/678-0682

May 14, 2019

Sgt. Neal Steward Community Inmate Workforce Northwestern Adult Detention Center 141 Fort Collier Road Winchester, VA 22603

RE: Virginia Adopt-A-Highway

Dear Sgt. Steward:

As we close out another fiscal year, I would like to take this opportunity to highlight the Community Inmate Workforce's contribution to the Virginia Adopt-a-Highway Program.

In partnership with Frederick County Clean Sweep, the Regional Detention Center adopted two roadways (Sulpher Spring Road and Aylor Road) in 2017. According to the state's records, from the adoption date in January of 2017 until the close of March 2019, the CIWF had contributed 1,058 man hours collecting litter along its two adopted roads. This is an in-kind contribution of \$25,910, benefitting both the county and the state litter control programs. These adoptions represent only a portion of the crew's efforts during the year.

Altogether, Virginia AAH estimates that its 18,000 volunteers provide \$1.35 million in cleanup services each year to the state. This is money that is saved for other much-needed expenses outside of litter pickup. Therefore, I would encourage the CIWF to renew these adoptions when they expire in 2020.

In closing, I trust that the CIWF and jail staff are proud of this outstanding commitment toward a cleaner and greener Frederick County.

Regards,

Gloria M. Puffinburger Solid Waste Manager

cc: J. Whitley, superintendent, NRADC

J. Wilder, director, Public Works C. Caswell, Clean Sweep crew supervisor

c. Caswell, Clean Sweep clew supervisor

file



COUNTY of FREDERICK

Sanitary District of Shawneeland

Kevin Alderman District Manager

Office: 540/877-1035 Fax: 540/877-1361

MEMORANDUM

TO:

Joe Wilder, Director of Public Works

FROM:

Kevin C. Alderman, District Manager, Shawneeland Sanitary District

KCA

SUBJECT:

Carry Forward of Funds from Fiscal Year 2018-2019 Budget to Fiscal Year 2019-

2020 Budget

DATE:

May 13, 2019

I am requesting that an amount of \$30,000.00 be carried forward from the Fiscal Year 2018-2019 Shawneeland Sanitary district budget line item 16-8108-8800-00-Buildings to line item 16-8108-8800-00-Buildings in the Fiscal Year 2019-2020 budget. This amount will be used for the construction of additional office space.

If you have any questions, please do not hesitate to call me.

KCA/pms

Cc: file





Sanitary District of Shawneeland

Kevin Alderman District Manager

Office: 540/877-1035 Fax: 540/877-1361

MEMORANDUM

TO: Joe Wilder, Director of Public Works

FROM: Kevin C. Alderman, District Manager, Shawneeland Sanitary District

SUBJECT: Carry Forward of Funds from Fiscal Year 2018-2019 Budget to Fiscal Year 2019-

2020 Budget

DATE: May 13, 2019

I am requesting that the remaining ending balance from line item 16-8108-3004-004-Road Improvements be carried forward from the Fiscal Year 2018-2019 Shawneeland Sanitary district budget to line item 16-8108-3004-04-Road Improvements in the Fiscal Year 2019-2020 budget. We are currently spending from this line item as we continue to make road improvements stemming from the heavy rains that Shawneeland has received in the past year.

If you have any questions, please do not hesitate to call me.

KCA/pms

Cc: file

FREDERICK COUNTY - ANIMAL SHELTER

Kathy M. Whetzel Shelter Manager 540/667-9192 ext. 2502 FAX 540/722-6108 E-mail: kwhetzel@fcva.us

MEMORANDUM

TO: Joe Wilder, Director of Public Works

FROM: Kathy M. Whetzel, Shelter Manager

SUBJECT: FY 18/19 Carry Forwards

DATE: 5/15/19

The Shelter is requesting a funding carry forward from FY 18/19 into line item 10-4305-3001-00 Professional Health Services in the amount of \$4,426.88 or the remaining portion thereof. This amount is the unused portion of spay/neuter funding. The funds were appropriated from the Fleming donation for spaying and neutering shelter pets.

The shelter is requesting a funding carry forward from FY 18/19 into line item 10-4305-3002-02 Professional Services Engineering and Design in the amount of \$22,401.70 or the remaining portion thereof. This amount is the unused portion of the new building design funds. The funds were appropriated from the Loy donation for the design of the new shelter building.

Please contact me if you have any questions.

KMW:hag



Department of Public Works 540/665-5643 FAX: 540/678-0682

MEMORANDUM

TO: Joe C. Wilder

Director of Public Works

FROM: Gloria M. Puffinburger

Solid Waste Manager

RE: Carryforward Request; FY 18/19

Refuse Collection (4203)

DATE: May 22, 2018

The purpose of this memo is to request a carryforward amount of \$89,200, or the remaining balance at the end of the fiscal year, from line item 10-4203-8900-00 (*Improvements Other Than Buildings*) for costs associated with the final completion of the Stephenson citizens' convenience site. Requested funds should be placed into the 10-4203-8900-00 line item in the FY 19/20 fiscal year. Also requested carryforwards from the current fiscal year to FY 19/20 from the Refuse Collection (4203) budget include:

- Line item 10-4203-3002-0 (*Professional Services*) -- \$66,200 or the remaining balance; fund continued design work for relocation of the Albin citizens' convenience site
- Line item 10-4203-3004-03 (*Repair and Maintenance/Building*) -- \$68,425 or the remaining balance; funds for completion of site improvements at the Middletown convenience sites. Work is in the design phase.
- Line item 10-4203-3010-00 (*Contractual Services*) -- \$140,000 or remaining balance; funds for increased hauling costs based on May CPI figures and increased costs associated with recycling program.

Carryforward requests total \$363,825 or such balances that remain in the various line items at the close of the current fiscal year.

If you have any questions, please do not hesitate to contact me at Extension 8219.





Department of Public Works 540/665-5643 FAX: 540/678-0682

MEMORANDUM

TO: Joe C. Wilder, Director of Public Works

FROM: Ron Kimble, Landfill Manager

SUBJECT: Carry Forwards to 2019/2020

DATE: May 22, 2019

The purpose of this memo is to request a carry forward of the remaining balance at the end of the fiscal year, from line item 12-4204-8900-00 (Improvements Other Than) for cost associated with on-going projects at the landfill. Requested funds should be placed into the 12-4204-8900-00 line item in the fiscal year 2019/2020 budget. We also request the remaining balance from at the end of the fiscal year from line item 12-4204-3002-00 (Professional Services).

If you have any questions, please do not hesitate to contact me at 540-665-5658.



COUNTY of FREDERICK

Department of Public Works 540/665-5643

FAX: 540/678-0682

MEMORANDUM

TO: Public Works Committee

FROM: Joe C. Wilder, Director of Public Works

SUBJECT: Monthly Tonnage Report - Fiscal Year 18/19

DATE: May 22, 2019

The following is the tonnage for the months of July 2017 through June 2018, and the average monthly tonnage for fiscal years 03/04 through 18/19.

EN7 02 04	AVED A CE DED MONEU	1 C 2 40 TONG (TID 1 1 C 4 TONG)
FY 03-04:	AVERAGE PER MONTH:	16,348 TONS (UP 1,164 TONS)
FY 04-05:	AVERAGE PER MONTH:	17,029 TONS (UP 681 TONS)
FY 05-06:	AVERAGE PER MONTH:	17,785 TONS (UP 756 TONS)
FY 06-07:	AVERAGE PER MONTH:	16,705 TONS (DOWN 1,080 TONS)
FY 07-08:	AVERAGE PER MONTH:	13,904 TONS (DOWN 2,801 TONS)
FY 08-09:	AVERAGE PER MONTH:	13,316 TONS (DOWN 588 TONS)
FY 09-10:	AVERAGE PER MONTH:	12,219 TONS (DOWN 1,097 TONS)
FY 10-11:	AVERAGE PER MONTH:	12,184 TONS (DOWN 35 TONS)
FY 11-12:	AVERAGE PER MONTH:	12,013 TONS (DOWN 171 TONS)
FY 12-13:	AVERAGE PER MONTH:	12,065 TONS (UP 52 TONS)
FY 13-14:	AVERAGE PER MONTH:	12,468 TONS (UP 403 TONS)
FY 14-15:	AVERAGE PER MONTH:	13,133 TONS (UP 665 TONS)
FY 15-16:	AVERAGE PER MONTH:	13,984 TONS (UP 851 TONS)
FY 16-17:	AVERAGE PER MONTH:	14,507 TONS (UP 523 TONS)
FY 17-18:	AVERAGE PER MONTH:	15,745 TONS (UP 1,238 TONS)
FY 18-19:	AVERAGE PER MONTH:	16,317 TONS (UP 572 TONS)

MONTH	FY 2017-2018	FY 2018-2019
JULY	15,465	17,704
AUGUST	17,694	18,543
SEPTEMBER	16,813	14,799
OCTOBER	15,853	18,158
NOVEMBER	16,109	15,404
DECEMBER	12,644	14,426
JANUARY	13,295	13,973
FEBRUARY	13,100	12,764
MARCH	15,510	17,079
APRIL	15,469	20,313
MAY	18,755	
JUNE	18,228	

			<u>AL</u>	STEEL						
<u>MONTH</u>	<u>GLASS</u>	<u>PLAST</u>	<u>CANS</u>	CANS	<u>PAPER</u>	<u>occ</u>	SHOES/TEX	<u>ELEC</u>	<u>SCRAP</u>	<u>TOTAL</u>
JUL		40,320	1,945	4,620	78,140	98,621	9,500	68,580	292,300	594,026
AUG		38,580	4,855	7,925	90,020	98,500	9,220	24,680	300,180	573,960
SEP		32,600	3,120	6,560	65,600	88,380	5,380	52,200	211,500	465,340
OCT		37,778	4,140	7,580	99,480	92,960		51,340	255,960	549,238
NOV		49,965	5,432	12,245	82,740	126,335		25,960	246,374	549,051
DEC		35,340	3,710	8,650	71,280	118,920	3,600	28,040	171,800	441,340
JAN		50,800	2,415	7,500	91,800	114,400	8,604	53,180	172,520	501,219
FEB		37,780	5,845	12,244	111,735	124,380	5,020	26,980	117,220	441,204
MAR		26,820	3,300	7,290	75,680	87,320		25,580	228,501	454,491
APR		37,000	3,700	7,229	65,560	92,790	5,200	53,820	315,860	581,159
MAY										0
JUN										0
TOTAL	0									0
FY 17-18	0	465,080	53,224	94,530	1,043,120	1,080,087	37,260	536,420	2,874,709	6,184,430
FY 16-17	372,600	430,435	41,002	89,976	1,082,737	1,009,153	37,220	495,500	2,687,241	6,245,864
FY 15-16	919,540	428,300	52,077	97,252	1,275,060	974,493	48,820	480,400	2,376,344	6,652,286
FY 14-15	895,600	407,703	40,060	97,515	1,272,660	893,380	49,440	532,283	1,890,729	6,079,370
FY 13-14	904,780	417,090	39,399	99,177	1,281,105	902,701	37,800	611,580	1,639,225	5,932,937
FY 12-13	913,530	410,338	45,086	102,875	1,508,029	878,450	39,700	502,680	1,321,938	5,722,626
FY 11-12	865,380	398,320	43,884	99,846	1,492,826	840,717	37,920	484,600	1,432,678	5,696,171
FY 10-11	949,185	378,452	42,120	98,474	1,404,806	824,873	41,700	467,920	1,220,107	5,427,637
FY 09-10	1,123,671	370,386	42,844	96,666	1,235,624	671,669	21,160	435,680	1,348,398	5,346,098
FY 08-09	762,810	322,928	23,473	55,246	1,708,302	564,957	28,780	404,760	1,097,151	4,968,407
FY 07-08	794,932	284,220	15,783	40,544	1,971,883	545,692	0	498,110	1,172,880	5,324,044
FY 06-07	600,464	200,720	11,834	29,285	1,684,711	441,321	0	382,574	550,070	3,900,979
FY 05-06	558,367	190,611	12,478	28,526	1,523,162			381,469	204,220	2,898,833
FY 04-05	549,527	193,224	11,415	27,525	1,552,111			273,707	25,080	2,632,589
FY 03-04	541,896	174,256	11,437	31,112	1,443,461			156,870	336,230	2,695,262
FY 02-03	413,627	146,770	9,840	23,148	1,381,195			62,840	171,680	2,209,100
FY 01-02	450,280	181,040	10,565	25,553	1,401,206			54,061	58,140	2,180,845
FY 00-01	436,615	198,519	10,367	24,988	1,759,731				9,620	2,439,840
FY 99-00	422,447	177,260	10,177	22,847	1,686,587				44,180	2,363,498
FY 98-99	402,192	184,405	9,564	22,905	1,411,950				48,810	2,079,826
FY 97-98	485,294	136,110	13,307	29,775	1,830,000					2,494,486
FY 96-97	373,106	211,105	23,584	46,625	1,690,000					2,344,420
FY 95-96	511,978	167,486	28,441	44,995	1,553,060					2,305,960
TO DATE	14,247,821	6,009,678	548,737	1,234,855	33,150,206	8,547,406	342,540	6,225,034	17,634,721	87,941,078

FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2018-2019

DOG REPORT

	ON HAND AT	RECEIVED	BROUGHT IN	BITE	BORN AT				DIED AT	ESCAPED/	CARRIED OVER
MONTH	FIRST OF MONTH	AT KENNEL	BY ACO	CASES	KENNEL	ADOPTED	RECLAIMED	DISPOSED	KENNEL	STOLEN	NEXT MONTH
JULY	36	29	36	1	0	29	35	1	0	0	37
AUG	37	41	36	2	0	29	36	2	1	0	48
SEP	48	33	41	2	0	29	38	4	0	0	53
OCT	53	28	24	2	0	37	19	4	0	0	47
NOV	47	28	22	4	0	39	21	1	0	0	40
DEC	40	32	11	0	0	37	8	2	0	0	36
JAN	36	29	24	2	0	32	22	5	0	0	32
FEB	32	19	32	0	0	23	22	2	0	0	36
MAR	36	23	31	1	0	35	22	3	0	0	31
APR	31	25	31	0	0	21	27	0	1	0	38
MAY											
JUN											
TOTAL	396	287	288	14	0	311	250	24	2	0	398

In the month of April - 87 dogs in and out of kennel.

FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2018-2019

CAT REPORT

	ON HAND AT	RECEIVED	BROUGHT IN	BITE	BORN AT				DIED AT	ESCAPED/	CARRIED TO
MONTH	FIRST OF MONTH	AT KENNEL	BY ACO	CASES	KENNEL	ADOPTED	RECLAIMED	DISPOSED	KENNEL	STOLEN	NEXT MONTH
JULY	122	129	14	4	7	49	2	102	3	0	120
AUG	120	122	21	3	3	116	6	65	1	0	81
SEP	81	95	9	2	0	52	2	41	2	0	90
OCT	90	119	15	2	3	62	1	48	4	0	114
NOV	114	85	14	1	6	64	1	60	2	0	93
DEC	93	46	4	1	0	40	1	20	0	0	83
JAN	83	71	6	1	0	69	2	33	0	0	57
FEB	57	46	3	1	0	37	0	17	0	0	53
MAR	53	66	2	2	6	52	3	24	1	0	49
APR	49	61	2	1	17	63	3	15	0	0	49
MAY											
JUN											
TOTAL	862	840	90	18	42	604	21	425	13	0	789

In the month of April - 130 cats in and out of shelter. 37 cats transferred to other agencies.