MEMORANDUM

TO: Charles and Kathy Woodward, Conservation Landowners

FROM: Stephanie Horton, Land Protection Supervisor
Ecosystem Enhancement Program

DATE: October 30, 2008

SUBJECT: Fencing along 377-foot conservation easement segment
UT to Cane Creek EEP # 395

The Ecosystem Enhancement Program (EEP) has reviewed your request regarding fencing along one side of your property. EEP is in agreement that the fence along an approximately 377-foot line, extending north-south along the easternmost section of your property boundary, may be placed eight feet inside the easement area. This line corresponds to two calls in the survey of lengths "237.78'…" and "138.87' to a new iron pipe in the line of Martha Teague Stout". All other fencing will be placed on the conservation easement boundary.

We have agreed to do this in order to better protect the conservation easement area and for your convenience so that you will be able to mow between the electrified fence and the row of cedars along this property line with your bush hog equipment. The EEP project manager has confirmed that there is not room to get the equipment between the row of trees and the fence, if the fence is placed on conservation easement boundary line.

As we have discussed, although this fence is being placed just inside the conservation easement boundary line, the fence is not the responsibility of the State, EEP, or our contractors to maintain. You, your heirs, successors and assigns are responsible for protecting the easement area from livestock and other incompatible uses, as stated in the conservation easement agreement originally signed by your predecessors in ownership, Mr. and Mrs. Fogleman.

In a previous letter, dated August 4, 2008, EEP agreed to allow you to maintain a cleared zone on the stream or wetland side of the electric fence in a width of five feet in order to keep vegetation off the fence. This zone is to be cleared by mowing or cutting, and not by herbicide. We trust that there will be no further modifications requested.

As you know, these conservation easements serve to protect restoration projects that compensate for streams, wetlands and riparian areas that are lost due to development. For that reason, the restored areas are protected in perpetuity. Thank you again for your participation in the protection of water quality and riparian habitat in your watershed. Please contact Stephanie Horton at the Ecosystem Enhancement Program (919-715-1263) should you wish to discuss this matter.

Legend

Fence CE Exemption

Conservation Easement

New Stream Alignment

0 125 250 Feet

UT to Cane Creek (Pickard)
Kathy Woodward Property

EEP #395

wps - October2008