



**Durham County
Farmland Protection Program**



**Herndon Farm
Farmland Conservation Easement**

Overview of Easement Terms:

General

- The easement ‘runs with the land,’ meaning that any future landowners will also have to abide by the easement terms. The easement protects the farm from development in perpetuity.
- The property can be sold, but the easement runs with the land and future owners would have to follow the terms.
- The conservation easement does not grant the general public the right to be on the property. The owners have the right to allow the public on their property at their choosing.
- Durham County staff meet with the landowner and visit the farm once a year to confirm easement restrictions are being followed. Durham County staff coordinate the timing of the site visit, or monitoring, with the landowner ahead of time.

Limited Development to Preserve Agricultural Use

- The easement limits any further subdivision of the 22-acre parcel.
- The easement allows for one future home site located within one of two alternate areas that are pre-identified on the farm.
- Impervious surfaces will be strictly limited to protect soil and natural resources.
- The owner must notify County Open Space staff of any new impervious surfaces before they are constructed so that the total amount of impervious surface on the farm can be tracked.
- The easement prohibits mining, drilling, filling, excavation or removal of topsoil, peat or sand, or any other alterations of the surface not related to farming activities.
- The easement allows for agri-tourism related uses on the property.
- Commercial and industrial activities are limited.

Farm Management and Practices

- The easement allows flexibility in agricultural and/or forestry land use.
- The easement includes an area close to Herndon Road where future agricultural structures can be clustered.
- Agricultural and forestry uses of the farm are subject “best management practices” for the farm.
- Forestry activities are allowed if done in accordance with an approved Forest Management Plan.
- Existing wooded stream buffers will be maintained to protect water quality. Non-vegetated areas within 50 feet of a stream are required to grow to provide a wooded buffer.
- Signs regarding the Farm are allowed, but billboards are not permitted.