

WATERFORD UNION OF CHURCHES CEMETERY
P.O. BOX 275
WATERFORD, VIRGINIA 20197

NOVEMBER 24, 2012

RE: Part of Fairfax Street that intersects Route 698
West to High Street in the Village of Waterford.
Parallels the Union of Churches Cemetery and
African-American Cemetery PIN: 303-17- 8429
and the Property of
David A. Hastman, 15514 Loyalty Road
PIN: 303-18-0549-000

County of Loudoun
Office of County Attorney
Ms. Zaida Thompson, Assistant County Attorney
P.O. Box 7000
Leesburg, Virginia 20175

Dear Ms. Thompson,

The Trustees of the Waterford Union Of Churches Cemetery, Inc. are aware that Mr. Philip Paschall, a resident of Waterford, has discussed with you the current status and condition of the above referenced roadway. The Trustees have been aware of the dumping of vegetive matter, and recently of fill dirt and construction debris in and on the sunken portion of this road during the past year. This action by the adjacent property owner, Mr David A. Hastman, was at first an irritant, but now seems a deliberate attempt to make the road impassable to vehicles, and even to foot traffic. Since this road boards one entire side of the cemetery, and provides the only public access to both cemeteries for visitors and for maintenance of the grounds, the Trustees are very concerned.

The adjacent owner claims ownership of the road, and has in the past advised the cemetery maintenance workers that they were trespassing on his property when they were using the road to access the cemetery. Research of the plat of his property, provided him at settlement, does indicate that his property extends to the property line of the cemetery on the South side of the road. A copy of that plat dated March 8, 1999 is enclosed. Fairfax Street is shown entirely on his property. It is shown as a dirt road and labeled Fairfax Street. The Trustees agree with Mr. Paschall, that the road is public right of way, and has been used by the public for over 250 years in its present location, and further is shown on all pre 1930 maps of Waterford. During that time it has served as the only public access to the Black and White Waterford Cemetery.

The Cemetery Trustees join with Mr. Paschall in requesting that the County Attorney's Office

halt the attempted closing of the road, and require the removal of the material that has been dumped on said road. And henceforth allow peaceful passage of pedestrians and vehicles. Further the Cemetery holds that the original thirty foot right of way extends to the property line of the cemetery on the South side so that the right of way provides continuous free access to the entire cemetery property at any point along the entire right of way. And that the Cemetery Trustees acting as The Waterford Union of Churches Cemetery Incorporated, and its agents have the right to maintain Fairfax Street for vehicular access to the entire cemetery and to its intersection with State Rout 698, as do all adjacent property owners bordering the right of way.

We are enclosing a recent photo of the road with a car stuck in the fill up to the doors to illustrate the extent of the damage to the road, and that it has become impassable. We also enclose a copy of part of Tax Map 28-A showing Fairfax Street, and the Cemetery and Mr. Hastman's property, and a copy of Loudoun County Mapping System showing the Cemetery property PIN number 303178429. Further we are supplying a copy of the plat of the division of the Verts Homestead of October 1947, when Fairfax Street was probably incorporated into the Verts (later Hastman) property. Note that what is now State Rout 698, and part of Loyalty Road was also included in that 1947 plat.

If further information is required the undersigned is available at the letter head address, and by cell phone 540 687 1372.

Waterford Union of Churches Cemetery, Inc.

Paul E. Rose, President, Trustee

CC: Waterford Foundation Inc., Adjacent property owner PIN: 303174967, and Cemetery Trustee.

CC: Ms. Virginia McGehee Friend, Adjacent property owner.

CC: Mr. Philip Paschall