

Waterford Union of Churches Cemetery

P.O. Box 275
Waterford, VA 20197



November 10, 2016

Mr. Geary Higgins
Catoctin District Supervisor
Board of Supervisors Office
4 Harrison Street
Leesburg Va. 20175

Dear Mr. Higgins,

It has been a year since I wrote you on behalf of the Waterford Union Cemetery regarding the problem of unrestricted access to the cemetery from Fairfax Street. The problem still exists with the adjacent property owner David Hastman blocking access to Fairfax with two fences constructed across the street. One of the fences is directly in front of the Black section of the cemetery and the other at the intersection of Old Waterford Road. With the fences and rough fill in the street, it is no longer passable. Mr. Hastman has continued to place yard waste and fill dirt in the street adjacent to the Black section of the cemetery up to the date of this letter.

It is the Cemetery's position that Fairfax Street, although not accepted into the Virginia Department of Highway system is still a thirty foot wide street and is not restricted access. In our previous letters to the Office of the Loudoun County Attorney the Cemetery has maintained this dating back to 2012. Not by replying to our letters, but in private meetings with one of our trustees, The Waterford Foundation, Inc., the County Attorney said that its office required a title report before it could take any action. The County Attorney's Office has never replied in writing to the Cemetery requests. We are sending the Attorney a copy of this letter in hopes that they will respond.

The Cemetery now has a complete title report supported by copies of deeds and plats from the Loudoun County records, which are included with this letter. This report has been reviewed by our attorney, Sevila, Saunders, Huddleston & White, P.C. The title report traces the parent tract including what is now Fairfax Street to David Janney by deed dated April 2, 1816 and recorded in Deed Book 2T-359 on June 4, 1816. It was Janney who subdivided lots and laid out Fairfax Street from High Street to the Fairfax Meeting House (on Old Waterford Road). Lots 10 and 11 became the cemetery and reference Fairfax Street as their north boundary. In 1867 the parcel north of Fairfax Street was deeded to Edwin A. Atlee. It consisted of six acres. Atlee sold off one and a half acres to the School Board. He then conveyed a parcel of **seven** acres in trust for his wife without having added any additional land, by including the area of streets (Fairfax) and roads (Old Waterford) in a new description.

This new erroneous description persists to this day and is reflected in the plat presented to Mr. Hastman when he purchased the property. The Cemetery Trustees believe this information