

## 55 Dane Acres Drive FAQ's

Thank you for your interest in 55 Dane Acres Drive! Please see the attachments in the listing for detailed information about the property. The attachments are also included in a showing notebook in the living room of the house, along with the original blueprints for the house and some additional information about the seller, the Southern Appalachian Highlands Conservancy, or SAHC.

**Can I build a second house or guest cottage on the property?** The existing house is in the area at the center of the survey shown as "building area A." The current house could be renovated or expanded, or it could be removed, and another house built inside the building area. The rules for maintaining a conservation easement won't allow an owner to add additional structures to the property. A much larger house would be allowed, but the entire structure would have to be under a single roof. It may be possible to have a separate garage that's attached by the breezeway, like the house at 44 Dane Acres Drive, but not a separate house or cottage.

The existing septic system could be utilized if the footprint of the house doesn't change, but a new septic permit would be required for a house plan that includes additional bedrooms.

**What can I do in the conservation area of the property?** The conservation easement restricts development on the land in perpetuity, only allowing changes to the property proscribed in the legal documents. The easement is a legally enforceable, cooperative agreement between the landowner and a conservation group, in this case the SAHC. It limits the ability of the owner to develop the land, particularly for clearing or building on the property outside of the building area but preserves the right of the owner to enjoy the use of the land. The owner agrees to a set of permitted and prohibited uses, which are detailed in the easement starting on page 9. The grantee in essence becomes a guardian of the property, with a long-term responsibility to monitor the land to ensure that its use complies with the terms of the conservation easement. It has the legal right – and obligation – to enforce those restrictions if a violation occurs. The conservation easement is filed in the register of deeds and legally binds present and future owners. The restrictions against development, once set in place, "run with the land" and are binding in perpetuity on all future owners. The land remains on the county tax rolls. The purpose of a conservation easement is to protect significant conservation values of a property from being degraded. Examples of conservation values that can be protected through a conservation easement include open space, plant and wildlife habitat, water quality, soil quality, forest and timber resources, scenic enjoyment by the public, traditional agriculture, and historically important structures and land. SAHC will visit the property annually to compare its condition to the information contained in a baseline document that includes maps, photographs, and text describing the property's conservation values at the time the conservation easement is executed. Consistent monitoring helps strengthen the relationship between the landowner and SAHC, foster better understanding of the role of each, reminds the landowner of the easement terms, and informs the land trust of the condition of the property.

**Can I purchase the house without buying the land outside of the building area, or just the land and not the house?** No, they must be purchased together.

**Where can I get more information about the seller, Southern Appalachian Highlands Conservancy, or SAHC?** Check out the SAHC website for more information about who they are and what they do to protect the natural resources in our area - [www.appalachian.org](http://www.appalachian.org).

**When was the last time someone lived in the house?** The house has had short-term tenants on and off over the past few years. It's been several years since there was a permanent resident in the house.

**Is the large barn I passed on the way in part of the property?** Yes! The property includes the barn as well as the well house and outbuildings inside the building area.

**Who's responsible for the maintenance of Dane Acres Drive?** Dane Acres Drive is a private road. The maintenance responsibilities are on pages 2 and 3 of the Dane Acres Restrictive Covenants filed with Buncombe County in 1982. A copy of the restrictions is in the listing attachments.

**Are the solar panels owned or leased, and do they work? What about the generator?** The solar panels are owned, not leased. It's not known if they are currently functional. The same is true for the generator, which is connected to an underground propane tank that's also owned, not leased.

**A tour of the house and the house plans show three bedrooms, but the MLS description says that the house has two bedrooms. Why is that?** The house was built with three bedrooms, but it's unclear if the septic permit was issued for a two- or a three-bedroom house. The Buncombe County tax records say that the house has two bedrooms. We listed the house as having two bedrooms because the number of bedrooms for a house with a septic system is determined by the septic permit, not the actual number of bedrooms in the house.

**Why are most of the answers on the Residential Property Disclosure Statement "no representation"?** The seller has never lived in the house, so can't provide accurate answers to those questions. They have provided what information they do know about the property.