



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

JOINT MEETING

STATE REVIEW BOARD and BOARD OF HISTORIC RESOURCES

10:00 a.m., June 18, 2026

Virginia Museum of History and Culture, 428 North Arthur Ashe Boulevard, Richmond, Virginia

AMENDED
EASEMENT PROGRAM
BOARD PACKET

PROJECT SUMMARIES

**Provided to the
Virginia Board of Historic Resources**

June 11, 2026

**NEW
EASEMENT OFFERS**

BHR Meeting Date: June 18, 2026	Staff: W. Musumeci	DHR File No. 137-0406_ep
Applicant/Owner: Susan Buck	County: City of Williamsburg	Acres: ±0.133

Property Features and Current Use:

Morton’s Tenement (the “Property”) is composed of a single ±0.133-acre parcel located along Pollard Park in the City of Williamsburg. The Property is within a small subdivision known as Pollard Park which was developed in the 1920’s and 30’s by Virginia Governor John Garland Pollard. The Colonial Revival houses in this area were clearly influenced by the on-going restoration of Colonial Williamsburg, just blocks away. Morton’s Tenement was designed by noted architect Thomas T. Waterman in 1931 for Richard L. Morton, a professor at the College of William and Mary, for use as a rental property. It is one of only a few domestic Waterman designs and has been cited as a literal interpretation of 18th century Chesapeake dwellings in massing, fenestration, and moldings. Waterman’s design for the one-and-a-half story brick dwelling features a main block of three bays and a side wing with a screen porch. A second wing was added to the dwelling in 1964. The Property also includes a small brick garage (ca. 1931) in northwestern corner. The lot also includes a small front yard with ornamental plantings. In 1991, Morton’s Tenement was purchased by Colonial Williamsburg architectural historian Edward A. Chappell, Jr. Mr. Chappell carefully preserved and documented the house while making only minor interior changes. Mr. Chappell also authored the Chandler Court and Pollard Park Historic District nomination. Mr. Chappell died in July 2020 and devised a conservation easement on the Property in his will to the Department of Historic Resources to “preserve the historical and architectural aspects” of Morton’s Tenement. Because Mr. Chappell devised the conservation easement directly to DHR, the easement will contain language assigning it to the Board of Historic Resources. Chappell’s widow and executor, the noted historic paint analyst and conservator Susan Buck, currently owns the Property which is used for residential purposes.

Conservation Values:

Historic/Landscape:

- Morton’s Tenement is a contributing resource to the Chandler Court and Pollard Park Historic District, which was listed on the Virginia Landmarks Register on March 20, 1996 and the National Register of Historic Places on October 3, 1996, under Criterion A in the area of Community Planning and Development, Criterion B in the area of Politics/Government and Education, and Criterion C in the area of Architecture. The listing was updated in 2020 to support the inclusion of “Landscape Architecture” under Criterion C.
 - From 1922 to the early 1930’s, John Garland Pollard, a lawyer, professor, Virginia Attorney General, Mayor of Williamsburg and Governor of Virginia, designed two picturesque garden suburbs, Chandler Court and Pollard Park, across the street from the College of William and Mary that provided quality housing in an intimate garden setting for owners and renters. Richard L. Morton purchased one of the Pollard Park lots and hired prominent architect and architectural historian Thomas Tileston Waterman to design his new rental house. At the time, Waterman was working on major architectural projects at Colonial Williamsburg, and the influence of this reconstruction work is apparent in his design of Morton’s Tenement.
 - The Property is a notable example of Colonial Revival style architecture, consisting of a one and one-half story dwelling with brickwork laid in a typical eighteenth-century Flemish bond pattern that includes an accurately executed water table and segmented window arches. The building illustrates defining characteristics of design that reflects the Colonial Williamsburg restoration model, and possesses integrity of materials and craftsmanship, including its rectangular form, massing, and plan, as well as its ability to convey its significance as an early twentieth century middle class suburban house. On the interior, Waterman’s floor plan remains largely intact. A 1964 wing addition was carefully designed to preserve and complement the original house. The Property retains integrity of setting, location, feeling and association as a freestanding historic dwelling on a small suburban lot in a planned residential community, and of construction, architectural style, and materials as a Colonial Revival style dwelling.

Archaeology: Although the Property has not been subjected to professional archaeological survey, in the opinion of the VDHR, the Property is further significant for its potential to contain archaeological sites, deposits or features directly associated with the historic domestic occupation and use of the Property.

Open Space: The Property contains ±0.133 acres of open space land.

ConserveVirginia: The Property lies entirely within the “Cultural and Historic Preservation Category” in ConserveVirginia, Virginia’s land conservation strategy that identifies high value lands and conservation sites across the Commonwealth of Virginia.

Other Supporting Governmental Policy:

Federal: (i) National Historic Preservation Act (NHPA) of 1966 (54 U.S.C. §§ 300101-307108), which authorizes the National Register of Historic Places (NRHP); (ii) standards and guidelines promulgated by the Secretary of the Interior for the appropriate treatment of historic properties listed on the NRHP (36 C.F.R. Part 68); (iii) review and formal recommendation by the State Review Board of the Commonwealth of Virginia of eligibility for listing on the NRHP, made on March 20, 1996, and (iv) formal determination by the Keeper of the NRHP that the Property meets the Criteria for Evaluation and subsequent listing of the Property on the NRHP on October 3, 1996.

State: (i) Section 1 of Article XI of the Constitution of Virginia; (ii) Chapter 22 of Title 10.1, Sections 10.1-2200 through 10.1-2214 of the Code of Virginia; (iii) Open-Space Land Act, Chapter 17 of Title 10.1, Sections 10.1-1700 through 10.1-1705 of the Code of Virginia; (iv) State regulations codified in Chapter 30, Agency 5, and Chapter 20, Agency 10 of Title 17 of the Virginia Administrative Code (v) Virginia Board of Historic Resources' determination at a public meeting on March 20, 1996 that the Property meets the criteria for listing on the VLR and Board's designation of the Property for inclusion on the VLR; (vi) The Board's practices in reviewing and accepting an easement over this Property, which include review by VDHR's Easement Program staff, review by a committee comprised of VDHR staff from different divisions and review and acceptance by the Board at a public meeting, as set forth in the Board's written adopted policies; (vii) Virginia Outdoors Plan (2024) Region 4, Section 3.2; and (viii) ConserveVirginia.

Local: The Property is currently zoned Residential, Single-Family Dwelling (RS-2); future land use is designated as Low Density Residential. The City of Williamsburg 2021 Comprehensive Plan (adopted September 9, 2021) offers support for historic preservation and conservation easements at page 1-4 and 4-1. By letter dated September 26, 2023, the City of Williamsburg confirmed that a historic preservation and open-space easement placed on the Property would be consistent with its current comprehensive plan.

Existing Buildings and Structures:

Brick dwelling (1931) with 1964 brick addition	Brick walkways and steps (date unknown)
Brick garage (ca. 1931)	Brick patio (date unknown)
Brick retaining wall (rebuilt 2023)	Gravel driveway

General Easement Terms:

Note: *provisions in italics below indicate non-standard easement template language*

Maintenance and Preservation: Property shall be maintained, preserved, and protected in same or better condition.

Division: no subdivision.

Existing Historic Buildings and Structures: exteriors and interiors of Historic Dwelling must be maintained in existing condition or better; demolition prohibited; alterations/additions require prior review and approval.

Existing Non-Historic Buildings and Structures: provision for potential demolition and removal of existing non- structures.

Permitted New Dwellings: replacement dwelling should Historic Dwelling be destroyed.

Permitted New Buildings, Structures and Amenities: (i) reconstructions of documented historic buildings/structures; (ii) replacement dwelling not to exceed 1,500 square feet in footprint; (iii) utilities that serve the Property; (iv) outbuildings/structures accessory to residential use, not to collectively exceed 200 square feet in footprint; (v) drive/driveway; and (vi) small scale structures such as a fence or gate.

New Construction & Alterations: all new construction and alterations to existing buildings/structures requires prior written approval; use "Secretary of the Interior's Standards for Treatment of Historic Properties" as standard for review.

Archaeology: ground disturbance may require professional archaeological survey; owner must take reasonable precautions to protect archaeological sites; no relic hunting.

Impervious Surface Coverage: *Cap at ±10% (579 square feet) or less for Permitted New Improvements.*

Activities: prohibits activities inconsistent or incompatible with the Conservation Values protected by easement.

Ground Disturbance: (i) any Ground Disturbing Activities are subject to prior written approval; (ii) mining by strip surface or subsurface mining (including extraction/removal of gravel or similar material), dredging on or from the Property, or drilling for oil, gas or any natural resource (excluding fresh water), is prohibited.

Trash: accumulation or dumping of trash/refuse/junk, or hazardous/toxic material is prohibited.

Signs: restrictions on size and number of signs permitted.

Public Access: *During Ms. Buck's ownership, the Property, including the interior of the dwelling, shall be made accessible by appointment to scholars, academicians, or persons whose professions are architecture, architectural history, historic preservation, landscape design or architecture, or a related field of study. After Ms. Buck transfers fee simple title of the Property to a subsequent owner, the Property shall be made accessible to the general public on at least two days a year per DHR's standard easement template language.*

Documentation Information:

Tax Map Number: 2514-60-879

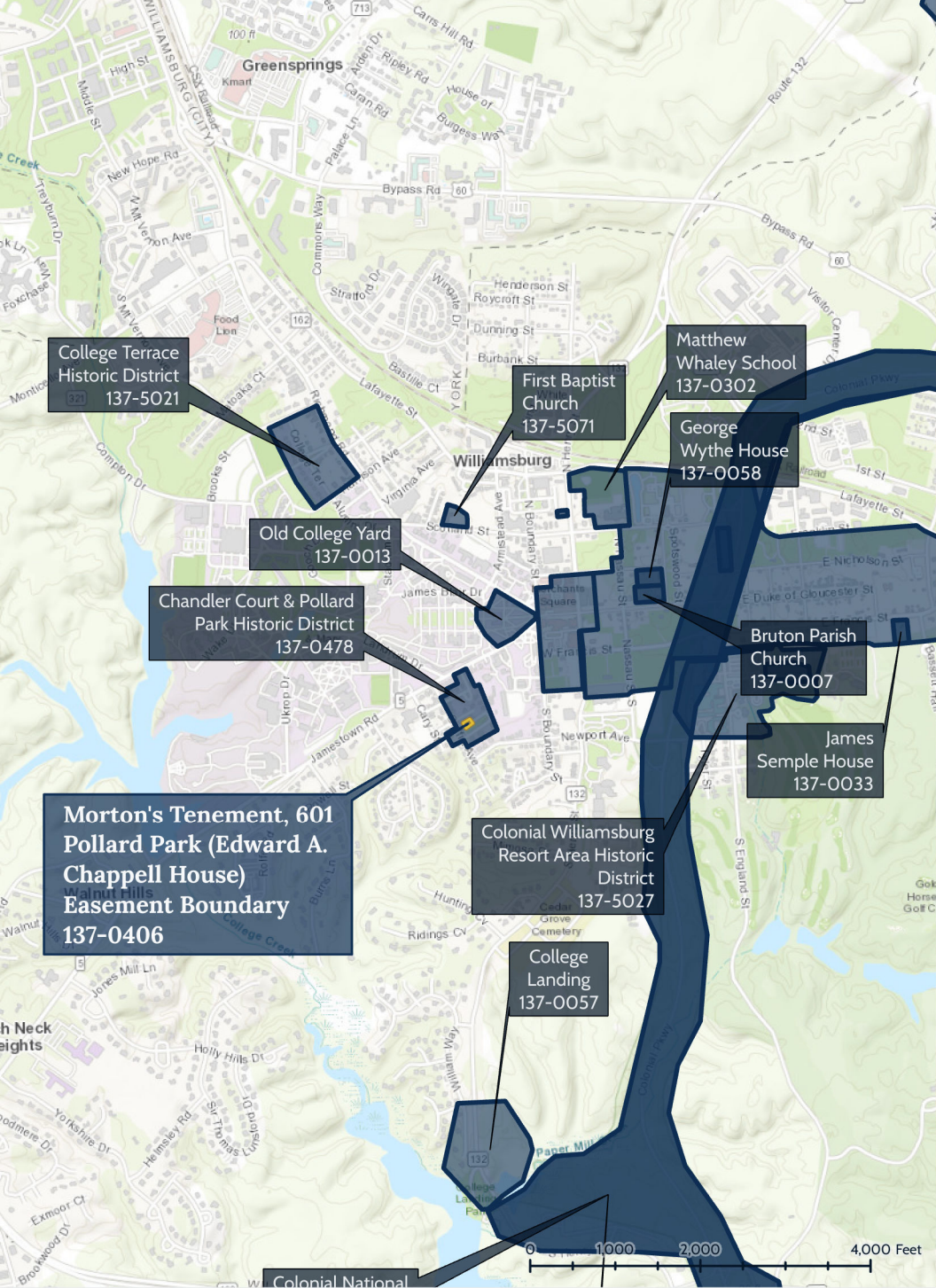
Statement of Public Benefit:

Morton’s Tenement is of historic and archaeological significance and is a contributing resource to the Chandler Court and Pollard Park Historic District, a district listed on the VLR and the NRHP in 1996. Restrictions on ground-disturbing activities and alterations to historic and landscape resources on the Property, including archaeological sites, and requirements for the maintenance of such resources, will ensure the Property retains its historic integrity and eligibility for listing on the state and federal historic registers. Preservation of the Property will augment efforts to preserve historic properties in the City of Williamsburg, including approximately 19.7 acres of land already subject to a perpetual easement held by the BHR. Preservation of the open-space character of the Property preserves a local landscape that attracts tourism and commerce to the area and enhances the quality of life for area residents. The Property is visible from Pollard Park, a public right-of-way. The protection of the Property by the easement will also fulfill the intent of the 2024 Virginia Outdoors Plan to protect Virginia’s historic and cultural resources and to place historic preservation and open-space easements on historic properties.

Easement Acceptance Committee Recommendation:

The Easement Acceptance Committee recommends approval of the Morton’s Tenement easement offer subject to the following condition:

1. Final review of the title work, title commitment, survey, draft easement, and other recorded and unrecorded documents affecting title to the property by the Office of the Attorney General. Per this review, counsel may identify additional issues that require documentation or action.



Morton's Tenement, 601 Pollard Park (Edward A. Chappell House)
City of Williamsburg, Williamsburg Quad
DHR ID: 137-0406

- 137-0406
- Listed Resources

Created By: D. Bascone 9/20/2023
 Sources: VDHR 2023, ESRI 2023, VDOT 2023, VGIN 2023
 Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years and the representation depicted is based on the field observation date and may not reflect current ground conditions. The map is for general illustration purposes and is not intended for engineering, legal or other site-specific uses. The map may contain errors and is provided "as-is". Contact DHR for the most recent information as data is updated continually



BHR Meeting Date: June 18, 2026	Staff: Kyle Edwards	DHR File No. 098-0046_ep
Applicant: The Conservation Fund Grantor: The Archaeological Conservancy	County: Wythe	Acres: ±16.267

Property Features and Current Use:

The ±16.267-acre Martin Site (the “Property”) is composed of three unimproved tax parcels located at the confluence of Reed Creek (perennial) and the New River in Wythe County. The Property fronts on Reed Creek Drive (Route 618) with a steep slope from the road southwest to the floodplain along the New River and Reed Creek. The Property includes a Late Woodland Period village site with documented burials that were discovered and documented in 1970. Following archaeological survey, the Property was partially developed into a campground for a few years but has largely been in agricultural use for the last fifty years. The Conservation Fund (“TCF”) acquired the Property in 2025 following over one hundred years of ownership by the same family. TCF plans to convey the Property to The Archaeological Conservancy (the “Conservancy”) prior to easement recordation. The Conservancy will convey the easement to the Board of Historic Resources (“BHR”). The Conservancy will use the Property for educational purposes, allow tribal and general public access, and permit limited research by professional archaeologists. Easement staff are currently working with DHR’s Tribal Liaison to allow interested tribes the opportunity to review and comment on DHR’s easement language for this important archaeological site. The Conservancy was awarded a Virginia Land Conservation Foundation grant in 2025 to assist with the acquisition of the Property. Conveyance of a historic preservation and open-space easement to the BHR is a requirement of this grant. The Conservancy is also applying for a Virginia Outdoors Foundation Preservation Trust Fund grant.

Conservation Values:

Archaeological/Landscape:

The Martin Site was individually listed on the Virginia Landmarks Register (“VLR”) and on 4/16/1974 and the National Register of Historic Places (“NRHP”) on 8/13/1974 for its archaeological significance as an Indigenous village site.

- In 1970, tenant William Martin attempted to construct a campground on the Property, near the confluence of Reed Creek and the New River. While Indigenous artifacts had been found on the Property prior to this development, it was not until Martin started trenching for water lines that it became apparent that a large site existed on the Property. Archaeologist Howard MacCord, Sr., conducted a limited archaeological survey and excavation shortly after Martin’s discovery and confirmed the existence of a Late Woodland Period (900-1600 AD) village site. Artifacts and human remains were removed from the site during this survey and remain in the collections of the Smithsonian and DHR. MacCord published his findings in 1998, stating that the site consisted of a Late Woodland palisaded village site approximately 200’ in diameter with circular wigwams arranged in a circular plan around a central plaza area, a plan typical of Dan River cultures. 18 to 32 burials were identified in and among the wigwam structures. MacCord estimated that approximately 90% of the village site remained intact as of 1970, with some loss due to erosion by the New River; erosion of the site has continued, with the periodic flooding of the Property. Additionally, the presence of Archaic Period (8500–1000 BC) projectile points illustrates the Property was occupied and used by Indigenous communities through multiple cultural periods, and future archaeological research may provide more insight as to the full extent of the site’s significance. Following the 1970 excavation, Martin established a campground on the Property, but it appears to have been closed within five to ten years. The Property has been in agricultural use since the closing of the 1970’s campground. Four sets of Indigenous remains that were excavated in 1970 have been reinterred on the Property.

Open Space/Forestal: The Property includes ±16.267 acres of which ±2.42 acres are under forested cover.

Water Quality: As identified in the National Wetlands Inventory, the Property includes ±1,100 feet of frontage along Reed Creek (perennial) and ±550 feet along the New River, a tributary of the Kanawha River. The Property is within the Ohio River watershed.

Scenic Rivers: The Property contains ±550 linear feet of frontage along the New River, a Virginia Scenic River.

Agricultural: As identified in the Natural Resources Conservation Service (“NRCS”) Web Soil Survey of the U.S. Department of Agriculture, the Property contains ±10.5 acres of prime farmland and ±2.42 acres of farmland of statewide importance. Agricultural conservation plan required.

ConserveVirginia: The Property lies partially within the Cultural and Historic Preservation, Agricultural and Forestry, and Scenic Byways categories of ConserveVirginia, Virginia’s land conservation strategy that identifies high value lands and conservation sites across the Commonwealth of Virginia.

Supporting Governmental Policy:

Federal: (i) National Historic Preservation Act (NHPA) of 1966 (54 U.S.C. §§ 300101-307108), which authorizes the National Register of Historic Places (NRHP); (ii) standards and guidelines promulgated by the Secretary of the Interior for the appropriate treatment of historic properties listed on the NRHP (36 C.F.R. Part 68); (iii) review and formal recommendation by the State Review Board of the Commonwealth of Virginia of eligibility for listing on the NRHP, made on 4/16/1974; (iv) formal determination by the Keeper of the NRHP that the Property meets the Criteria for Evaluation and subsequent listing of the Property on the NRHP on 8/13/1974; (v) National Wetlands Inventory; and (iv) NRCS Web Soil Survey.

State: (i) Section 1 of Article XI of the Constitution of Virginia; (ii) Chapter 22 of Title 10.1, Sections 10.1-2200 through 10.1-2200 through 10.1-2214 of the Code of Virginia; (iii) The Open-Space Land Act, Chapter 17 of Title 10.1, Sections 10.1-1700 through 10.1-1705; (iii) State Review Board's determination at a public meeting on 4/16/1974 that the Property meets the criteria for listing on the VLR and the Board's designation of the Property for inclusion on the VLR; (iv) BHR practices in reviewing and accepting an easement over this Property which include review by VDHR's Easement Program staff, review by a committee comprised of VDHR staff from different divisions and review and acceptance by the Board at a public meeting, as set forth in the Board's written adopted policies; (v) 2024 Virginia Outdoors Plan, Region 2, Section 3.2; (vi) Virginia Scenic Rivers Act of 1970, Virginia Code §10.1-400; (v) ConserveVirginia; and (vi) Virginia Land Conservation Foundation, Chapter 10.2 Title 10.1, Virginia Code §§ 10.1-1017 through 10.1-1026

Local: Wythe County has designated the Property's future land use as Traditional Agriculture. Wythe County's current comprehensive plan *Connect Wythe 2040* (adopted September 26, 2023) generally supports historic preservation at pages 119-128 and highlights the Martin Site specifically on page 123. By letter dated February 5, 2026, Wythe County confirmed that a historic preservation and open-space easement on the Property is consistent with its current comprehensive plan.

Existing Buildings and Structures:

Small cement pad

Proposed General Easement Terms:

Note: *provisions in italics below indicate non-standard easement template language; some provisions are still to be determined.*

Maintenance and Preservation: Property shall be maintained, preserved, and protected in same or better condition.

Division: no subdivision or division permitted.

Permitted New Buildings, Structures and Amenities: (i) reconstructions of documented historic buildings/structures; (ii) pervious roads/drives; (iii) pervious paths/trails; (iv) utilities that serve the Property; (v) fences, gates, mailboxes; (vi) outbuildings/structures ancillary for use as a historic site.

New Construction & Alterations: all new construction buildings/structures require prior written approval; "Secretary of the Interior's Standards for Treatment of Historic Properties" are standard for review.

Archaeology: ground disturbance may require professional archaeological survey; owner must take precautions to protect archaeological sites; no relic hunting.

Impervious Surface Coverage: cap at 1% or less for all construction.

Activities: prohibits activities inconsistent or incompatible with the Conservation Values protected by easement.

Ground Disturbance: (i) any Ground Disturbing Activities are subject to prior written approval; (ii) mining by strip surface or subsurface mining (including extraction/removal of gravel or similar material), dredging on or from the Property, or drilling for oil, gas or any natural resource (excluding fresh water), is prohibited; *easement may include language to allow for reinterment of human remains previously removed from the Property.*

Riparian Protection Zone: minimum 50-foot-wide forested/vegetated buffer from the bank of the New River and Reed Creek; certain activities are prohibited within buffer; livestock shall be excluded from buffer.

Trash: accumulation or dumping of trash/refuse/junk, or hazardous/toxic material is prohibited.

Signs: restrictions on size and location of signs on property.

Public Access: *Property will be accessible to the public daily between 1 and 179 days per year (required per VLCF grant).* Access may be subject to reasonable restrictions to ensure security of the property and its archaeological resources.

Grant Funding: VLCF grant requires specific easement language regarding conversion/diversion, public access, riparian buffers, and agriculture.

Documentation Information:

Tax Map Number: 47-A14B2, 47-14A2 and 47-14A3

Property Address: 2105 Reed Creek Drive, 24324

USGS Quad: Fosters Falls

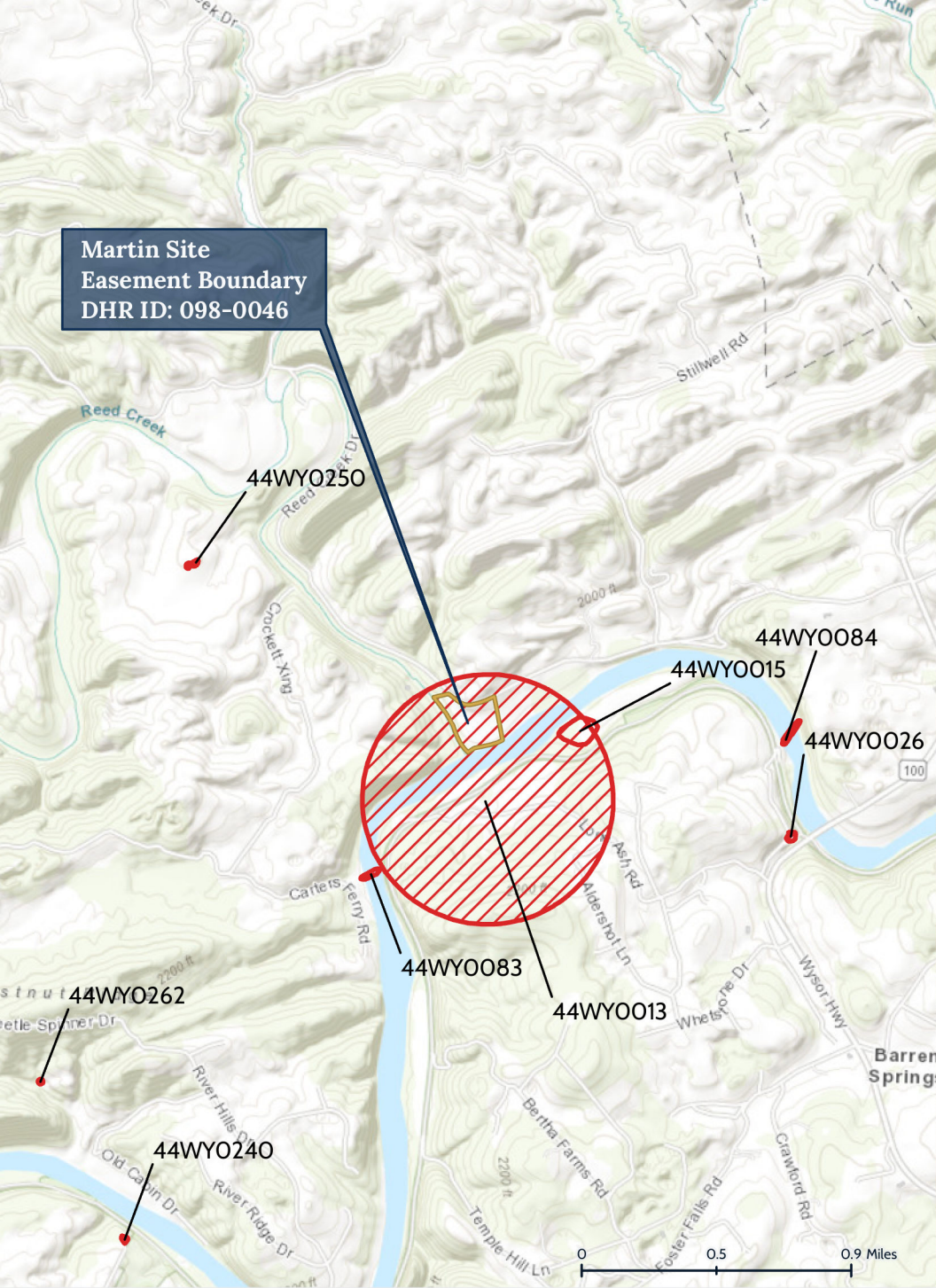
Statement of Public Benefit:

The Martin Site is of historic and archaeological significance that meets the National Register Criteria for Evaluation and is individually listed on the VLR and NRHP. Restrictions on ground disturbance, and alterations of historic and landscape resources on the Property, including archaeological sites, and requirements for the maintenance of such resources will ensure the Property retains its historic integrity and eligibility for listing on the state and federal historic registers. Preservation of the Property will augment efforts to preserve historic properties in Wythe County. Additionally, restrictions on development, new construction and ground disturbing activities will protect the forestal and ecological resources on the Property. The Property includes floodplain along the New River, frontage on Reed Creek and is within the Ohio River watershed. Preservation of the open-space and wooded character of the Property preserves a local landscape that attracts tourism and commerce to the area and enhances the quality of life for area residents. The Property is visible from Reed Creek Road (Route 618), a public right-of-way, the New River, a Virginia Scenic River, and Reed Creek. In addition to visible access, the easement will require physical public access. The protection of the Property by the easement will also fulfill the intent of the 2024 Virginia Outdoors Plan to protect Virginia's historic and cultural resources, and to place historic preservation and open-space easements on historic properties.

Easement Acceptance Committee Recommendation:

The Easement Acceptance Committee recommends approval of the Martin Site easement offer subject to the following conditions:

1. Completion of tribal consultation to DHR's satisfaction.
2. Final review of the title work, title commitment, survey, draft easement, and other recorded and unrecorded documents affecting title to the property by the Office of the Attorney General. Per this review, counsel may identify additional issues that require documentation or action.



Martin Site
Wythe County, Virginia
DHR ID: 098-0046

- 098-0046
- VLR/NRHP/NHL Listed
- VBHR Easements
- Archaeological Resources



DHR VIRGINIA DEPARTMENT OF HISTORIC RESOURCES

Created By: D. Bascone 1/7/2026
 Sources: VDHR 2026, ESRI 2026, VDOT 2026, VGIN 2026
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BHR Meeting Date: June 18, 2026	Staff: K. Edwards	DHR File No. 068-0017-0002
Applicant: Friends of Wilderness Battlefield	County: Orange	Acres: ±42.3135

Property Features and Current Use:

The ±42.3135-acre Excelsior Brigade Tract (the “Property”) is composed of two tax parcels located along Indiantown Road (State Route 603) three miles north of Locust Grove. The Property features a gently rolling topography that drains to an intermittent stream running near the southwestern boundary. The Property is improved with a one and one-half story log dwelling (ca. 1825, now clad in aluminum siding) known as the Morris-Mallory House, and two sheds, all located in a small clearing near the center of the Property. The original log dwelling was two rooms, each with a front door, and a garret space with two dormers under the side-gable roof. A rear single-story frame addition was likely added shortly after the original building was constructed. This log dwelling is a rare survivor of its type and age and has been continuously inhabited since the early 19th century. A notable owner of the Property was William Ambler Morris who lived here from 1854 to his death in 1912. Morris was a gunsmith of local renown who assisted Confederate forces by making and repairing guns, especially during the Battle of the Wilderness. It is believed that his gunsmith shop was located on the Property, but further archaeological study is required to confirm its location. The Property also includes a small cemetery with at least three (3) graves, but no records survive to identify the deceased. Most recently, the Property was owned by the Mallory-Long family who lived here from the 1950’s to 2026 and made minimal improvements to the log dwelling. Friends of the Wilderness Battlefield (the “Friends”) acquired the Property in February 2026 and seek to open it to the public and preserve the log dwelling which will serve as a visitor center. The Friends will install interpretive signage, an earthen trail and a small permeable parking lot to facilitate access by the public. The Friends will apply for an American Battlefield Protection Program (“ABPP”) grant and were awarded a Virginia Battlefield Preservation Fund (“VBPF”) grant in 2025 to assist with acquisition of the Property. Conveyance of a historic preservation and open-space easement to the Board of Historic Resources is a condition of these grants.

Conservation Values:

Historic/Landscape:

1. The Property is located entirely within the core and study areas of the Mine Run Battlefield, which has been given a Preservation Priority Rating of I.3, Class B by the Civil War Sites Advisory Commission (“CWSAC”). Sites with a priority rating of I are those that have a critical need for action. Battlefield sites rated Class B are those that had “direct and decisive influence on their campaign,” in this instance, the Mine Run Campaign from November to December 1863. In late November 1863, Major General George G. Meade attempted to engage the Confederate Army one last time before the winter brought a temporary end to fighting. Meade marched his forces from Culpeper Court House to strike the right flank of the Confederate army south of the Rapidan River. Union Major General Jubal A. Early marched east on the Orange Turnpike to meet the advance of William French’s III Corps near Paynes’s Farm, which, at that time, included the Excelsior Brigade Tract. Union artillery units, including the New York Excelsior Brigade, were likely stationed on or near the Property. Meade’s forces attacked twice and scattered a Confederate counterattack. After dark, Lee withdrew his forces west to fortifications along Mine Run. The next day, Union forces approached the Confederate fortifications and, despite heavy skirmishing, never launched an attack on the heavily fortified position. The result of the Battle of Mine Run was inconclusive with 1,952 total casualties and the Union withdrawing to their winter quarters.
2. The Morris-Mallory House was likely constructed in the first half of the 19th century and, according to DHR records, is the only existing log structure from the period in Orange County. Preliminary observations made by DHR staff indicate that the structure retains significant original fabric as well as integrity of design and setting. While the Morris-Mallory cabin has not be evaluated for inclusion in the Virginia Landmarks Register (“VLR”) or National Register of Historic Places (“NRHP”), it contributes to the integrity of the battlefield landscape and would likely be individually eligible for both historic registers.

Archaeological:

1. The Property is significant for its archaeological potential as a Civil War battlefield. The Property may contain archaeological sites or deposits associated with the Battle of Mine Run due to the number of troops and equipment that crossed the Property and the intensity of the fighting that occurred on the Property.
2. The Property has the potential to contain archaeological sites or deposits associated with its historic agricultural, industrial, and domestic uses.

3. The Property contains one (1) known archaeological site, consisting of a historic cemetery of unknown cultural or historic affiliation.

Open Space: The Property contains ±42.3135 acres of open-space land of which ±39.95 acres is under forested cover.

Water Quality: The Property includes ±0.71-acres of freshwater forested/shrub wetland, ±0.3-acres of riverine wetlands, ±1,552.89 feet of frontage along an unnamed intermittent stream, ±297 feet of frontage along an unnamed perennial stream that drains to Mine Run, and two freshwater springs. The Property is located within the Chesapeake Bay watershed.

ConserveVirginia: The Property lies partially within the “Cultural and Historic Preservation” and the “Water Quality Improvement” categories in ConserveVirginia, Virginia’s land conservation strategy that identifies high value lands and conservation sites across the Commonwealth of Virginia.

Other Supporting Governmental Policy:

Federal: (i) “The Report on the Nation’s Civil War Battlefields,” issued by the CWSAC in 1993, authorized under 54 U.S.C. § 100507; (ii) Battlefield Land Acquisition Grant Program administered by ABPP (54 U.S.C. §§ 308101-308103); (iii) The Land and Water Conservation Fund Act, 54 U.S.C. §§ 200301 – 200310; (vi) National Wetlands Inventory; and (v) Journey Through Hallowed Ground National Heritage Area Act of 2008 (15 U.S.C. § 461).

State: (i) Section 1 of Article XI of the Constitution of Virginia; (ii) Chapter 22 of Title 10.1, Sections 10.1-2200 through 10.1-2214 of the Code of Virginia; (iii) The Open-Space Land Act, Chapter 17 of Title 10.1, Sections 10.1-1700 through 10.1-1705 of the Code of Virginia; (iv) Virginia Board of Historic Resources practices in reviewing and accepting an easement over this Property, which include review by VDHR’s Easement Program staff, review by a committee comprised of VDHR staff from different divisions and review and acceptance by Virginia Board of Historic Resources at a public meeting, as set forth in the Board’s written adopted policies; (v) Virginia Outdoors Plan: Region 3, Section 3.2; and (vi) ConserveVirginia.

Local: Orange County designated the future land use for parcels Agricultural 2 (A2) in the current comprehensive plan entitled *Orange County, Virginia Comprehensive Plan*, adopted October 24, 2023. The comprehensive plan provides support for the use of conservation easements at pages 14-15 and for historic preservation in general at pages 15, 19, 31, and 66-67. Orange County declined DHR’s request to confirm if the placement of an easement on the Excelsior Brigade Tract is consistent with its comprehensive plan, and instructed DHR to determine consistency based on DHR’s own review of the current Orange County Comprehensive Plan. Per Easement Program Policy #10, *Policy and Procedure for Documenting New Easement Conformance with the Applicable Comprehensive Plan for the Area in which the Property is Located*, DHR staff has formally requested the comprehensive plan letter from Orange County and followed up on the request after receiving the County’s refusal to comment. The County has been sufficiently notified as per DHR policy. Staff will move forward with a carefully documented review and interpretation of the Orange County Comprehensive Plan.

Existing Buildings and Structures:

Morris-Mallory House (ca. 1825)	Concrete Block Shed
Frame Shed	Gravel Drive

General Easement Terms:

Maintenance and Preservation: Property shall be maintained, preserved, and protected in same or better condition.

Division: no subdivision or division permitted.

Existing Buildings and Structures: exteriors and interiors of Morris-Mallory Cabin must be maintained in existing condition or better; demolition prohibited; alterations/additions require prior review and approval.

New Dwellings: no new residential dwellings permitted.

New Buildings Structures and Amenities: walking trails, footpaths, parking facilities, signs, for interpretation of the Property as a historic site and Civil War battlefield.

New Construction: construction of new buildings, structures, and amenities, requires prior written approval; use “Secretary of the Interior’s Standards for Treatment of Historic Properties” as standard for review.

Archaeology: ground disturbance may require professional archaeological survey; owner must take reasonable precautions to protect archaeological sites; no relic hunting.

Impervious Surface Coverage: cap at 1% or less for existing and permitted new improvements.

Activities: prohibits activities inconsistent or incompatible with the Conservation Values protected by easement.

Ground Disturbance: (i) grading, blasting, earth removal, or other ground disturbing activities shall not alter topographic aspects of property, except as for construction of permitted buildings, structures, and roads; (ii) mining by any method, dredging on or from the property, or drilling for oil, gas or any natural resource (excluding fresh water), is prohibited.

Forest Management: easement shall address forest management including timbering, replanting, landscape rehabilitation and land conversion consistent with the current standard easement template; review and approval required prior to battlefield landscape rehabilitation.

Agricultural Conservation Plan: agricultural activities conducted in accordance with a written agricultural conservation plan that requires the use of Best Management Practices.

Riparian Buffer: minimum 35' wide forested/vegetated buffer required along the unnamed perennial and intermittent streams.

Trash: accumulation or dumping of trash/refuse/junk, or hazardous/toxic material is prohibited.

Signs: restrictions on size and location of signs on the Property; interpretative signage permitted.

Public Access: easement requires 2 days minimum public access, Property is also visible from public-rights-of-way.

Grant Funding: ABPP grant requires specific easement language for Section 6(f)3 of Land and Water Conservation Fund Act.

Documentation Information:

Tax Map Numbers: 10-82 and 10-82A

Property Address: 13497 Indiantown Road, Locust Grove, Virginia	USGS Quad: Mine Run
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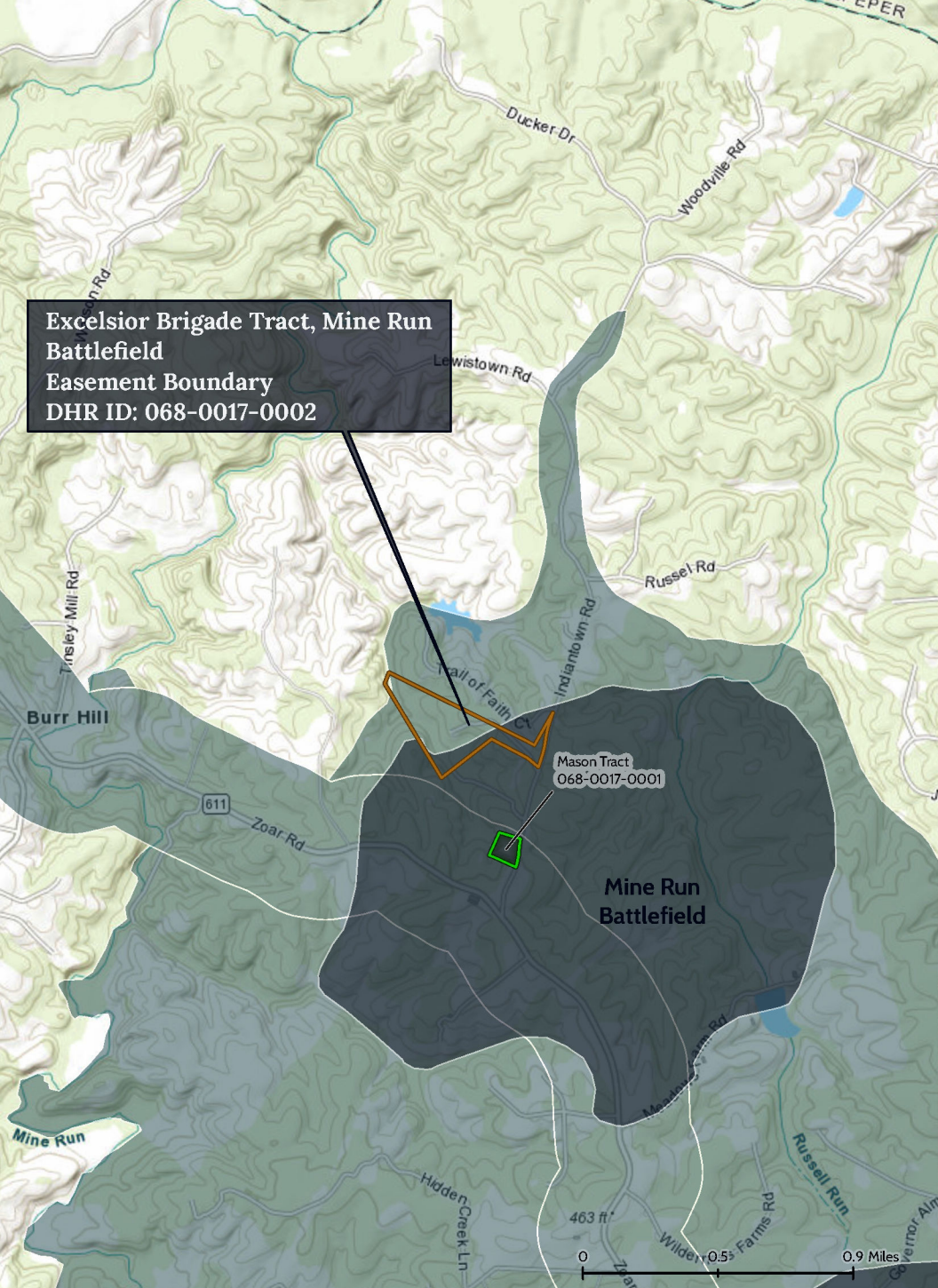
Statement of Public Benefit:

The Excelsior Brigade Tract is of historic and archaeological significance and is within the boundaries of a battlefield with a preservation priority rating from the CWSAC. Restrictions on ground disturbing activities and alterations of historic and landscape resources on the Property, including archaeological sites, and requirements for the maintenance of such resources will ensure the Property retains its historic integrity as a Civil War battlefield landscape. Preservation of the Property will augment efforts to preserve historic properties in Orange County, including approximately 3,498.72 acres of land already subject to perpetual easements held by the Board. Preservation of the open-space and wooded character of the Property preserves a local landscape that attracts tourism and commerce to the area and enhances the quality of life for area residents. The Property is visible from Indiantown Road (State Route 603), a public right-of-way. The easement will require physical public access two calendar days per year. Limiting new construction, timbering, ground disturbing activities and uses of the Property in the easement will support protection of water quality in the Chesapeake Bay. The protection of the Property by the easement will also fulfill the intent of the 2024 Virginia Outdoors Plan to protect Virginia's historic and cultural resources, including Civil War battlefield landscapes, and to place historic preservation and open-space easements on historic properties.

EAC Recommendation:

The Easement Acceptance Committee recommends approval of the Excelsior Brigade Tract easement offer subject to the following condition:

1. Final review of the title work, title commitment, survey, draft easement, and other recorded and unrecorded documents affecting title to the property by the Office of the Attorney General. Per this review, counsel may identify additional issues that require documentation or action.



Excelsior Brigade Tract, Mine Run Battlefield
Orange County, Virginia
DHR ID: 068-0017-0002

- 068-0017-0002
- VBHR Easements
- ABPP Core Areas (2014)
- ABPP Study Areas (2014)
- VLR/NRHP/NHL Listed



Created By: D. Bascone 6/2/2026
 Sources: VDHR 2026, ESRI 2026, VDOT 2026, VGIN 2026
 Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years and the representation depicted is based on the field observation date and may not reflect current ground conditions. The map is for general illustration purposes and is not intended for engineering, legal or other site-specific uses. The map may contain errors and is provided "as-is." Contact DHR for the most recent information as data is updated continually.

BHR Meeting Date: June 18, 2026	Staff: W. Musumeci	DHR File No. 269-5001-0004
Applicant: Shenandoah Valley Battlefields Foundation	County: Shenandoah	Acres: ±161.3249

Property Features and Current Use:

The ±161.3249-acre Bracken Tract (the “Property”) is composed of seven tax parcels, two of which (±105 acres) are in Shenandoah County and five of which (±56 acres) are located within the Town of New Market. The Property is located on the northwest outskirts of New Market with frontage along George Collins Parkway (Route 305). The Property is also visible from Interstate 81, West Old Cross Road (Route 211) and Shenandoah Drive (Route 787). The Bracken Tract features a rolling topography with two ridgelines running north-south. The Property includes frontage on two intermittent streams that drain to the North Fork of the Shenandoah River. Two of the Property’s larger parcels (103-A-71A and 103-A-71) are currently in agricultural use (hay production). These parcels, along with two smaller parcels, were acquired by SVBF in 2005. This acreage included farmland and open space lands historically associated with the Shirley Family, one of New Market’s prominent families. This acreage also includes a nineteenth century bank barn which is in ruinous condition. Three smaller parcels (103-A-58, 103-A-69C, and 103-5-A-X, the “Museum Parcels”) were acquired in 2022 and include the New Market Battlefield Visitor Center and Museum (the “Museum”), a frame shed, a 25,000 square foot impervious parking area, and a short trail area that includes 16 interpretive granite markers related to the Battle of New Market. The Museum Parcels also include a small stretch of River Road, the same road that figured prominently in the Battle of New Market. Per nineteenth century maps, River Road continued on the Property in a northwest direction towards the North Fork of the Shenandoah River. The Property is currently accessible from the Museum Parcels and Shenandoah Drive. SVBF will use the Property for open space and battlefield interpretation purposes and will maintain the Museum which will eventually include SVBF’s Civil War research center and library. SVBF will install interpretive signage, a 10,000 square foot permeable parking area along Shenandoah Drive, and at least one trail. SVBF will apply for an American Battlefield Protection Program (“ABPP”) grant to assist with acquisition of the Museum Parcels. Conveyance of an easement to the Board of Historic Resources is a condition of this grant.

Conservation Values:

Historic/Landscape:

- The Property is located entirely within the core and study areas of the New Market Battlefield, which has been given a Preservation Priority Rating of IV.1 Class B by the Civil War Sites Advisory Commission (“CWSAC”). Sites with a priority rating of IV are those that are considered fragmented with poor integrity. Battlefield sites rated Class B are those that had “direct and decisive influence on their campaign,” in this instance, the Gettysburg Campaign from June through August 1863.
 - In May 1864, Federal forces under General Franz Sigel were making their way through the Shenandoah Valley towards Staunton when, on May 15, they were met at New Market by General John C. Breckinridge's Confederate forces. The original road trace for the "River Road" was the first defensive line used by the Union army during the opening portion of the battle, and from here they exchanged artillery fire with the Confederates located to the southwest on Williamson's Hill. Confederate forces under the command of Generals Gabriel Wharton and John Echols forced the Union troops at River Road to retreat north and used the roadbed to launch their next offensive. The Confederate forces formed along a stretch of River Road (including a section located on the Property) and moved northeast, pushing the Union forces to Bushong's Hill. When the Confederate advance wavered in the face of Union artillery fire, the Federals counterattacked, only to be repulsed. With the Union forces now weakened, the Confederates launched their own counterattack, collapsing the Federal line. Sigel's forces retreated north to Cedar Creek, burning a bridge and thus halting the Confederate's pursuit. The decisive Confederate victory helped to maintain Confederate control of the Shenandoah Valley until the fall of 1864. The total casualties at the Battle of New Market were 1,380.
- The Property is within the Shenandoah Valley Battlefields National Historic District, an eight-county region in the Shenandoah Valley of Virginia designated by Congress in the 1996 “Shenandoah Valley Battlefields National Historic District and Commission Act” (P.L. 104-333). The purpose of this district is to preserve, conserve and interpret the region’s significant Civil War battlefields and related historic sites.

Archaeological:

- The Property is significant for its archaeological potential as a Civil War battlefield. The Property may contain archaeological sites or deposits associated with the Battle New Market due to the number of troops and equipment that crossed the Property and the intensity of the fighting that occurred on the Property.

2. The Property has the potential to contain Indigenous archaeological sites or deposits, due to its proximity to the North Fork of the Shenandoah River.
3. The Property has the potential to contain archaeological sites or deposits associated with its historic agricultural and domestic use as part of the nineteenth century Shirley Family farmstead.

Agricultural: As identified in the Natural Resources Conservation Service (“NRCS”) Web Soil Survey of the United States Department of Agriculture, the Property contains ±37.4 acres of Prime Farmland and ±62.3 acres of farmland of statewide importance.

Open Space: The Property contains ±161.3249 acres of open space land of which ±89 acres is under forested cover.

Water Quality: The Property includes frontage on Spring Branch and one unnamed stream, both intermittent streams that drain to the North Fork of the Shenandoah River. The Property is located within the Chesapeake Bay watershed.

ConserveVirginia: The Property lies partially within the “Water Quality Improvement Category” in ConserveVirginia, Virginia’s land conservation strategy that identifies high value lands and conservation sites across the Commonwealth of Virginia.

Other Supporting Governmental Policy:

Federal: (i) “The Report on the Nation’s Civil War Battlefields,” issued by the CWSAC in 1993, authorized under 54 U.S.C. § 100507; (ii) Battlefield Land Acquisition Grant Program administered by ABPP (54 U.S.C. §§ 308101-308103); (iii) The Land and Water Conservation Fund Act, 54 U.S.C. §§ 200301 – 200310; (iv) NRCS Web Soil Survey; (v) National Wetlands Inventory; and (vi) 1996 “Shenandoah Valley Battlefields National Historic District and Commission Act” (P.L. 104-333).

State: (i) Section 1 of Article XI of the Constitution of Virginia; (ii) Chapter 22 of Title 10.1, Sections 10.1-2200 through 10.1-2214 of the Code of Virginia; (iii) The Open-Space Land Act, Chapter 17 of Title 10.1, Sections 10.1-1700 through 10.1-1705 of the Code of Virginia; (iv) Virginia Board of Historic Resources practices in reviewing and accepting an easement over this Property, which include review by VDHR’s Easement Program staff, review by a committee comprised of VDHR staff from different divisions and review and acceptance by Virginia Board of Historic Resources at a public meeting, as set forth in the Board’s written adopted policies; (v) Virginia Outdoors Plan: Region 2, Section 3.2; and (vi) ConserveVirginia.

Local: The Town of New Market designated the future land use for parcels, 103-A-71A, 103-A-058, 103-A-069, 103-A-69C and 103-5-A-X as AG/Forestral District in the Town of New Market Comprehensive Plan, adopted July 2012, updated in 2017. The comprehensive plan provides support for the preservation of open space at pages 53-54, the use of conservation easements to protect groundwater at page 97 and historic preservation in general at pages 6, 30 and 66. By letter dated November 21, 2023, The Town of New Market confirmed that a historic preservation and open-space easement on the Property is consistent with its current comprehensive plan.

Shenandoah County designated the future land use for parcels 103-A-056 and 103-A-71 as Agricultural, Conservation, and Flood Protection Areas in the current comprehensive plan entitled *Shenandoah 2045: A Future Together*, adopted September 10, 2024. The comprehensive plan provides support for the use of conservation easements at pages 25, 53, and 69, and for historic preservation in general at pages 20, 70 and 71. By letter dated May 14, 2026, Shenandoah County confirmed that a historic preservation and open-space easement on the Property is consistent with its current comprehensive plan.

Existing Buildings and Structures:

Museum Building (ca. 1988)	Ruinous Frame Bank Barn (19th century)	Wood fences
Frame Shed (ca. 1988)	Paved parking area (±25,000 sq ft)	Museum signage and flagpole
16 granite markers (ca. 1988 and later)	Earthen roads and trails	

General Easement Terms:

Note: *provisions in italics below indicate non-standard easement template language*

Maintenance and Preservation: Property shall be maintained, preserved, and protected in same or better condition.

Division: Permits one division of the Property.

Existing Buildings and Structures: The ruinous bank barn must be demolished within two (2) years from the date of the BHR’s approval of this easement offer; the barn’s stone foundation may remain if it is structurally maintained. The existing non-historic museum building and frame shed may be maintained or demolished subject to prior approval by DHR. *Note: Treatment of the buildings/structures in the easement shall be consistent with any determinations of eligibility for listing on the historic registers per the Section 106 Review process associated with ABPP’s Battlefield Land Acquisition Grant, which review is still in process.*

New Dwellings: no new residential dwellings permitted.

New Buildings Structures and Amenities: walking trails, footpaths, parking facilities, signs, for interpretation of the Property as a historic site and Civil War battlefield.

New Construction: construction of new buildings, structures, and amenities, requires prior written approval; use “Secretary of the Interior’s Standards for Treatment of Historic Properties” as standard for review.

Archaeology: ground disturbance may require professional archaeological survey; owner must take reasonable precautions to protect archaeological sites; no relic hunting.

Impervious Surface Coverage: cap at 0.75% or less for existing and permitted new improvements.

Activities: prohibits activities inconsistent or incompatible with the Conservation Values protected by easement.

Ground Disturbance: (i) grading, blasting, earth removal, or other ground disturbing activities shall not alter topographic aspects of property, except as for construction of permitted buildings, structures, and roads; (ii) mining by any method, dredging on or from the property, or drilling for oil, gas or any natural resource (excluding fresh water), is prohibited; *easement shall allow for the former owners, John and Georgia Bracken, to be buried near the Museum if they so choose; the proposed gravesite must be surveyed by a qualified archaeologist prior to burial, and any burials must be properly permitted by the local health department.*

Forest Management: easement shall address forest management including timbering, replanting, landscape rehabilitation and land conversion consistent with the current standard easement template; review and approval required prior to battlefield landscape rehabilitation.

Agricultural Conservation Plan: agricultural activities conducted in accordance with a written agricultural conservation plan that requires the use of Best Management Practices.

Riparian Buffer: minimum 35’ wide forested/vegetated buffer required along Spring Branch and an unnamed intermittent stream.

Trash: accumulation or dumping of trash/refuse/junk, or hazardous/toxic material is prohibited.

Signs: restrictions on size and location of signs on the Property; interpretative signage permitted; *existing granite interpretative markers installed by former owner (the “Bracken Markers”) may remain in place and be maintained, but not replaced; no new Bracken Markers may be added; SVBF will install contextual signage that explains the purpose and history of the markers.*

Public Access: easement requires 2 days minimum public access and Property is also visible from public-rights-of-way.

Grant Funding: ABPP grant requires specific easement language for Section 6(f)3 of Land and Water Conservation Fund Act.

Documentation Information:

Tax Map Numbers: Town of New Market: 103-A-71A, 103-A-058, 103-A-069, 103-A-69C and 103-5-A-X; Shenandoah County: 103-A-056 and 103-A-71.

Property Address: 9500 George Collins Parkway, New Market, VA

USGS Quad: New Market

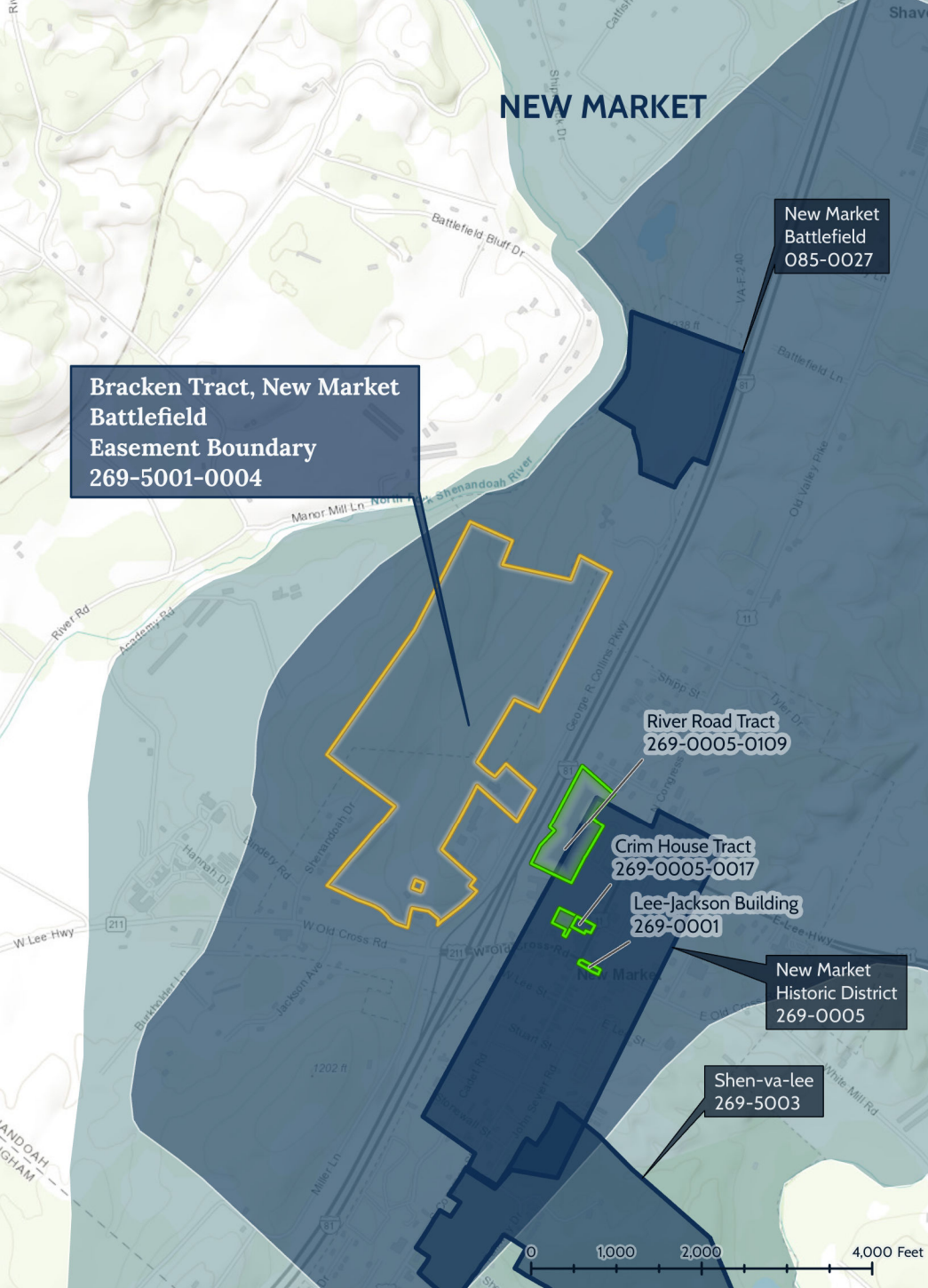
Statement of Public Benefit:

The Bracken Tract is of historic and archaeological significance and is within the boundaries of a battlefield with a preservation priority rating from the CWSAC. Restrictions on ground disturbing activities and alterations of historic and landscape resources on the Property, including archaeological sites, and requirements for the maintenance of such resources will ensure the Property retains its historic integrity as a Civil War battlefield landscape. Preservation of the Property will augment efforts to preserve historic properties in Shenandoah County, including approximately 1,340.12 acres of land already subject to perpetual easements held by the Board. Preservation of the open-space and wooded character of the Property preserves a local landscape that attracts tourism and commerce to the area and enhances the quality of life for area residents. The Property is visible from George Collins Parkway (Route 305), West Old Cross Road (Route 211), Shenandoah Drive (Route 787) and Interstate 81, all public rights-of-way. The easement will require physical public access two calendar days per year. Limiting new construction, timbering, ground disturbing activities and uses of the Property in the easement will support protection of water quality in the Chesapeake Bay. The protection of the Property by the easement will also fulfill the intent of the 2024 Virginia Outdoors Plan to protect Virginia’s historic and cultural resources, including Civil War battlefield landscapes, and to place historic preservation and open-space easements on historic properties.

EAC Recommendation:

The Easement Acceptance Committee recommends approval of the Bracken Tract easement offer subject to the following conditions:

1. The existing bank barn must be demolished within two years from the date of Board approval. The stone foundation may remain if it is maintained.
2. Final review of the title work, title commitment, survey, draft easement, and other recorded and unrecorded documents affecting title to the property by the Office of the Attorney General. Per this review, counsel may identify additional issues that require documentation or action.



Bracken Tract, New Market Battlefield
Shenandoah County, New Market Quad
DHR ID: 269-5001-0004

- 269-5001-0004
- VBHR Easements
- Listed Resources
- ABPP Core Areas (2014)
- ABPP Study Areas (2014)

Created By: D. Bascone 1/12/2024
 Sources: VDHR 2024, ESRI 2024, VDOT 2024, VGIN 2024
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