

Waterford Citizens' Association
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His Excellency, The Most Reverend Michael Francis Burbidge
Bishop of Arlington
Catholic Diocese of Arlington
200 North Glebe Road #914
Arlington, Virginia 22203

August 19, 2020

Dear Bishop Burbidge,

We have learned that the Diocese of Arlington has listed for sale its Oakland Farm property in Waterford, Virginia.

We are writing to express our profound concern that sale of Oakland Farm for development would directly contravene the written intentions of the family who deeded this property to the Diocese, specifically the “perpetual restrictive covenants” and clear intent of the Brown sisters’ bequest as set out in the 2003 deed. It is our view that the most appropriate way to follow the intentions of the Bequest and deeded restrictions is to sell Oakland Farm to a purchaser with commitments to place the property into conservation easement.

We understand some may be tempted to maximize profit through sale of this property. However, we also expect the Diocese will share a higher view that any decision should be based on a morally-defensible and principled choice that takes account of the clear and stated wishes of Emeline and Violet Brown, the last surviving members of this pioneering Northern Virginia Catholic family, whose trust, generosity, foresight granted stewardship of this unique property to the Diocese of Arlington.

We would be pleased to schedule a meeting to further discuss this matter, which is of critical concern to the Village of Waterford and Loudoun County.

Background

Oakland Farm is a remarkable 423-acre historic property that distills the experience of Catholicism in Northern Virginia over nearly two and a half centuries. Built in 1759 by Irish Catholic Joseph McGeath, Oakland Farm was host in the early 19th century to the earliest recorded Catholic masses in Loudoun County, which took place over a decade in the parlour of this Waterford farm. Family members remained devout over the ensuing years, contributing locally to the Church’s mission for example by teaching at St. Francis de Sales in Purcellville.

Oakland and its owners played an active part in Loudoun County's history as well. It was one of just a handful of Loudoun properties granted the rare distinction of "Bicentennial Farm" – an honor bestowed by the US Department of Agriculture on some 600 American farms owned continuously by the same family for 200 years or more since the adoption of the US Constitution in 1789. Oakland also defined the topography, becoming known locally as "Brown's Castle" for its stunningly eclectic architecture; several local lanes were named after Brown family members. In addition, the farm has contributed importantly to the preserved rural landscape underlying the 1970 designation of the village of Waterford as a National Historic Landmark, one of only three villages in the US with this recognition.

In 2003, at a time when other large Loudoun County farms were being sub-divided and developed, Emeline (known as Hannah) and Violet Brown – seventh-generation descendants of Joseph McGeath – chose another path for Oakland Farm. Firm in their Catholic faith, the sisters bequeathed this unique Loudoun County property to the Catholic Diocese of Arlington as a means of securing its preservation for the benefit of future generations.

The Brown sisters' wishes for the future of Oakland Farm were shared with several Waterford residents and friends who knew them well, and who can today attest to these wishes. They envisioned future uses of the farm that would both preserve its mansion, formal gardens, and acres of forests and fields, while supporting the mission of the Catholic Church.

The sisters' intentions were not only conveyed verbally; they were also documented in the general warranty deed, dated October 31, 2003, which transferred ownership to the Arlington Diocese. This deed made conveyance of the property by the sisters as Grantors subject to the following "perpetual restrictive covenants:" that there should be no future division of the property into greater than the existing five parcels; and that no additional buildings or improvements be made to the property, nor any renovation of existing property carried out, "except for religious, charitable, literary, educational or recreational purposes" of the Grantee, represented by the Bishop of the Catholic Diocese of Arlington and his successors and assigns.

Our concern: straying from the Grantors' intent

Today, in stark contrast with the intentions described in the deed, the Pearson Smith real estate firm listing of the property advertises the potential for multiple development possibilities for Oakland Farm, including "flexibility for future development with the potential of 84 lots." The existence of deeded perpetual restrictions is not mentioned, and the listing specifies that "the property is not in conservation easement." In this way the listing strays markedly from the clear intent of the Brown sisters as Grantors to prevent sub-division of the property, or its development other than for the purposes stated in the deed.

We have learned that the Diocese of Arlington is moving forward with proposed sale of the Oakland Farm on the basis of a revised legal interpretation of the deed that would allow for development on the property. Regardless of legal interpretations of the deed or its perpetual

restrictive covenants, what is clear is that these conditions capture the intent of the Brown sisters' 2003 bequest: They wished the property to be conserved, rather than broken up and developed.

Our request: a sale that meets the Grantors' intent

Therefore, we are writing to express our earnest request that as it contemplates next steps the Diocese will reflect upon – and choose an outcome that meets – the intentions of the Grantors. This is the best way to honor the unique historical value of this property to the Catholic community of Northern Virginia, as well as to the local community in Waterford and Loudoun County. It is our view that the most appropriate vehicle for this would be sale of Oakland Farm to a purchaser willing to put the property into conservation easement. We understand such offer or offers have been made.

While some may be tempted to seek the greatest financial return for sale of such a property, we expect the Diocese will share a higher view that a decision on the future of Oakland Farm should be made on the basis of a morally-defensible and principled choice that takes account of the intentions of Hannah and Violet Brown, the last members of this pioneering Northern Virginia Catholic family, whose trust, generosity and foresight granted stewardship of this unique farm to the Diocese of Arlington.

We would be pleased to schedule a meeting with members of the Diocese to further discuss this matter.

Sincerely,

Ray Daffner, President
Jill Kadish, Vice President
Betsy Gibson, Secretary and Treasurer
Waterford Citizens Association

Copy:

Phyllis Randall, Chair, Loudoun Board of Supervisors
Caleb Kershner, Catoctin Supervisor, Loudoun Board of Supervisors
Forest Hayes, Loudoun Planning Commission
Christine Gleckner, Chair – Board of Directors, Waterford Foundation
Stephanie Thompson, Executive Director, Waterford Foundation