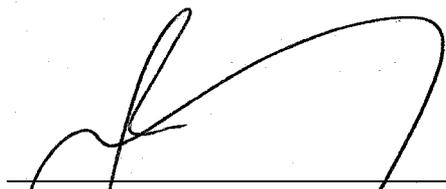


RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION -

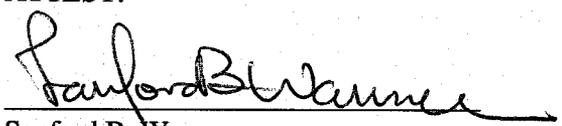
CIVIL CHARGE - IFIGENIA THEODOR

- WHEREAS, Ifigenia Theodor is the owner of the property, commonly known as 145 William Richmond Road, designated as Parcel No. (03-181) on James City County Real Estate Tax Map No. (49-4), hereinafter referred to as the ("Theodor Property"); and
- WHEREAS, Busch Properties, Inc., is the owner of 292± acres of common area near Halfway Creek located north of the Theodor Property, designated as Parcel No. (1-1) on James City County Real Estate Tax Map No. (50-3) ("Busch Property"); and
- WHEREAS, the Theodor Property and Busch Property are collectively referred to herein as "the Property"; and
- WHEREAS, on or about June 21, 2002, it was determined by County staff that vegetation was removed from approximately 22,000-square feet of area in the Resource Protection Area on the Property; and
- WHEREAS, Ifigenia Theodor and Busch Properties, Inc., agreed to a Restoration Plan to replant trees and shrubs on the Property in order to remedy the clearing violation under the County's Chesapeake Bay Preservation Ordinance and Busch Properties, Inc., has provided surety to the County to guarantee the survival of the vegetation in the Resource Protection Area on the Property; and
- WHEREAS, Ifigenia Theodor and Busch Properties, Inc., have agreed to pay \$3,500 to the County as a civil charge under the County's Chesapeake Bay Preservation Ordinance; and
- WHEREAS, the James City County Board of Supervisors is willing to accept the restoration of the impacted areas and the civil charge as an interim settlement of the Chesapeake Bay Preservation Ordinance violation, in accordance with Sections 23-10 and 23-18 of the Code of the County of James City.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$3,500 civil charge from Ifigenia Theodor and Busch Properties, Inc., as a settlement of the Chesapeake Bay Preservation Ordinance Violation.



James G. Kennedy
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MCLENNON	AYE
BROWN	AYE
GOODSON	AYE
HARRISON	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of December 2002.

theodorcharge.res