

**RESOLUTION**

**CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION -**

**CIVIL CHARGE - BOYD CORPORATION**

WHEREAS, Boyd Corporation is the owner of certain parcels of land, commonly known as 2804 Durfey's Mill Road, designated as Parcel No. (10-7) on James City County Real Estate Tax Map No. (47-4); and 2808 Durfey's Mill Road, designated as Parcel No. (10-6) on James City County Real Estate Tax Map No. (47-4); hereinafter referred to as the ("Properties"); and

WHEREAS, on or about June 5, 2002, understory vegetation consisting of 40 trees and shrubs were removed from the Resource Protection Area on the Properties; and

WHEREAS, Boyd Corporation agreed to a Restoration Plan to replant 80 trees and shrubs, on the Properties in order to remedy the violation under the County's Chesapeake Bay Preservation Ordinance and Boyd Corporation has provided surety to the County to guarantee the completion of the restoration for the Resource Protection Area on the Properties; and

WHEREAS, Boyd Corporation has agreed to pay \$3,000 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 in full 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 \$3,000 civil charge from Boyd Corporation as full settlement of the Chesapeake Bay Preservation Ordinance Violation.

James G. Kennedy  
Chairman, Board of Supervisors

SUPERVISOR	VOTE
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MCGLENNON	AYE
BROWN	AYE
GOODSON	AYE
HARRISON	AYE
KENNEDY	AYE

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

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