

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 26TH DAY OF SEPTEMBER, NINETEEN HUNDRED EIGHTY-EIGHT, AT 1:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
Thomas D. Mahone, Vice-Chairman, Jamestown District
Perry M. DePue, Powhatan District (Absent)
Thomas K. Norment, Jr., Roberts District
Stewart U. Taylor, Stonehouse District

David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - September 12, 1988

Mr. Edwards asked if there were corrections or additions to the minutes.

Mr. Mahone asked that a statement be added to Case No. Z-9-88, Elizabeth Vaiden, clarifying that the applicant could use the property under the current zoning with a special use permit. He also asked that the correct resolution for York River Crossing Study be inserted after Board Consideration - Evaluation of York River Crossing Study and Draft Environmental Draft Statement.

On a roll call, the vote was: AYE: Norment, Taylor, Mahone, Edwards (4). NAY: (0).

C. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer for the Virginia Department of Transportation, stated that the traffic signals on Longhill Road and Olde Towne Road are in operation. Mr. Hall further stated that the Highway Department had packets to give to civic groups interested in picking up litter from roadways and that he would be glad to meet with groups wishing to participate.

Mr. Taylor asked that the speed limit sign at Woodland Farms subdivision be changed from 45 mph to 35 mph, and stated that one sign had been changed.

Mr. Hall replied that he would investigate.

Mr. Taylor again requested installation of the culvert on Chickahominy Road at Mrs. Pearl Taylor's home.

Mr. Hall responded that he believed the culvert had been installed the latter part of last week.

Mr. Taylor stated that he would check it out when in the area, and would call Mr. Hall if such was not the case.

D. PUBLIC HEARINGS

1. Case No. SUP-26-88. John Thompson

Mr. Allen Murphy, Jr., Principal Planner, stated that Mr. John Thompson had submitted an application for a special use permit to allow the replacement of a nonconforming manufactured home on 1.956 acres, which he owns, located at 278 Thompson Lane.

Staff recommended denial of Case No. SUP-26-88 because the family subdivision, of which the subject property is a part, has only one member of the Thompson family living in it, and through use of the family subdivision ordinance and issuance of separate permits for lots, the owner has been able to develop a de facto manufactured home park without meeting Zoning Ordinance requirements for a manufactured home park.

Mr. Edwards opened the public hearing.

1. Diane Thompson, owner of the property, requested approval of the permit because of the hardship placed on the tenant, who had replaced a trailer (1 of 6) on the property. She stated they were unaware that a permit was needed for trailer replacement.

2. Lee Mershon, 500 Thompson Lane, spoke in opposition to the special use permit because of his being denied a similar request some years ago to place three residences on 80 acres. He felt the owners should comply with rules and regulations for a trailer park.

At the request of Mr. DePue who was absent, Mr. Edwards continued the public hearing until the next meeting.

2. Case No. SUP-27-88. James O. and Frances J. Ford

Mr. Murphy stated that James O. and Frances J. Ford had submitted an application for a special use permit to allow the placement of a manufactured home on 25.07 acres, which they own, located at 8502 Diascund Road, to be occupied by a nephew, Mr. Ronald D. Goff.

Staff recommended approval of the case with conditions shown in the resolution.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

Mr. Mahone made a motion that a twelve-year time limit be placed on the permit for renewal at the end of that period, if satisfactory with owner and County.

On a roll call, the vote was: AYE: Mahone (1). NAY: Norment, Taylor, Edwards (3).

During discussion of Condition 3, Mr. James Ford, owner of the property, stated his parcel of the property had been cleared of trees.

Mr. Mahone made a motion to delete language from Condition 3 to read: "3. Existing trees shall be maintained within 20 feet of all property lines, except where clearing is required for necessary entrances."

On a roll call, the vote was: AYE: Norment, Mahone, Edwards (3). NAY: Taylor (1).

Mr. Taylor made a motion to approve the amended resolution.

On a roll call, the vote was: AYE: Norment, Taylor, Mahone, Edwards (4). NAY: (0).

R E S O L U T I O N

CASE NO. SUP-27-88. JAMES O. AND FRANCES J. FORD

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special Use Permit be granted for the placement of a mobile home on property owned and developed by the applicant as described below and on the attached site location map.

- Applicant: James O. and Frances J. Ford
- Real Estate Tax Map ID: 10-1
- Parcel No.: 1-35
- Address: 8502 Diascund Road
- District: Stonehouse
- Zoning: A-1
- Conditions:
 1. This permit shall be valid only for the mobile home applied for. If the mobile home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If

the permit is not exercised it shall become void one year from the date of approval.

2. The mobile home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
3. Existing trees shall be maintained within 20 feet of all property lines, except where clearing is required for necessary entrances.
4. The number of bedrooms shall not exceed two.

3. Case No. AFD-8-86. Casey Tract

Mr. Murphy stated that Mr. Wilson F. Skinner had applied on behalf of the Casey family to withdraw seven acres from Case No. AFD-8-86 to allow Virginia Power to purchase the property for expansion of their facilities on Ironbound Road.

The Planning Commission and the Agricultural and Forestal District Advisory Committee recommended approval.

Mr. Edwards opened the public hearing.

1. Mr. Wilson Skinner stated that the withdrawal would be conditioned on the recordation of a deed from the property owners conveying the acreage to Virginia Power.

Mr. Edwards closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

Discussion followed about the rationale of allowing acreage to be withdrawn from the agricultural forestry districts.

On a roll call, the vote was: AYE: Norment, Taylor, Mahone, Edwards (4). NAY: (0).

4. Vacation of 50-foot Right-of-Way Between Lots 18 and 19 - Old State Manor Subdivision, Section 1

Mr. Frank Morton, III, County Attorney, stated that an application had been made by Joseph F. Phillips, Jr., on behalf of Thomas McCormick, Jr., and Patricia T. McCormick, owners of Lot 19, and Bruce P. and Clara H. Robertson, owners of Lot 18, of Section One of the Old Stage Manor subdivision to vacate an unimproved 50-foot right-of-way, which was platted to allow access into undeveloped property behind those lots. The property has since been developed without utilizing this right-of-way.

Mr. Edwards opened the public hearing.

Mr. Taylor made a motion to approve the ordinance.

On a roll call, the vote was: AYE: Norment, Taylor, Mahone, Edwards
(4). NAY: (0).

E. CONSENT CALENDAR

Mr. Edwards asked if any Board member wished to remove any item from the Consent Calendar.

Mr. Edwards asked that Item 1 be removed.

Mr. Mahone made a motion to approve Item 2 on the Consent Calendar.

On a roll call, the vote was: AYE: Norment, Taylor, Mahone, Edwards
(4). NAY: (0).

2. Virginia Public School Authority Bond Sale

1. Regional Bridge Impact Study

Clarification was made that the requested study would consider the impact on land use and road network by a James River crossing linked with a York River crossing.

Mr. Edwards made a motion to approve the resolution.

On a roll call, the vote was: AYE: Norment, Taylor, Mahone, Edwards
(4). NAY: (0).

R E S O L U T I O N

CROSSING STUDY

WHEREAS, the Federal Highway Administration (FHWA) of the U. S. Department of Transportation and the Virginia Department of Transportation (VDOT) have conducted a Draft Environmental Impact Statement for the George P. Coleman Bridge York River Crossing Study; and

WHEREAS, the Virginia Department of Transportation is also studying the need for and environmental impacts of a bridge crossing the James River; and

WHEREAS, it remains to be demonstrated how traffic and land use patterns would be affected by the presence of a James River bridge between Surry and James City Counties; and

WHEREAS, the Planning Commission at its work session on August 30, 1988, recommended that a regional traffic study be conducted to review the combined effects of a James River Bridge and an upriver crossing of the York River.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests that FHWA and VDOT conduct a study of the long-range regional impact of a James River Bridge, particularly when combined with an upriver crossing of the York River prior to the completion of the James River Crossing Draft Environmental Impact Statement.

F. BOARD CONSIDERATIONS

1. Ordinance to Authorize Acquisition of Real Property - Alabama Company

Mr. Edwards requested proceeding with the remainder of the agenda, and postponing consideration of this item until the arrival of Supervisor DePue.

G. PUBLIC COMMENT

1. Ms. Teri Riggs, 108 Barrett Place, Williamsburg, Division of Energy Services Group, Busch Corporate Center, spoke in favor of public transportation to benefit employees who live in nearby localities.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David Norman, County Administrator, requested an executive session to discuss a legal matter.

I. BOARD REQUESTS AND DIRECTIVES

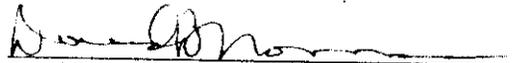
Mr. Mahone reported on the September 20 Peninsula Planning District Committee meeting on solid waste. He stated a resolution was passed that the jurisdictions would establish a regional solid waste authority to determine areas of study and interest. Each jurisdiction would indicate its interest in projects, and if in agreement of undertaking a project, would be obligated to follow through on that project. He asked staff to prepare a resolution for the Board's consideration.

Mr. Mahone referred to the reading file item regarding the Comprehensive Plan of the City of Williamsburg. Mr. Taylor felt the City should finalize before the County approves. Mr. Mahone stated the resolution would indicate support and provide input before the City takes action. Mr. Norment commented that he would like to see the entire copy of the City's Comprehensive Plan before supporting the resolution.

Mr. Edwards yielded the floor to Mr. Taylor for a James City Service Authority meeting at 2:05 p.m.

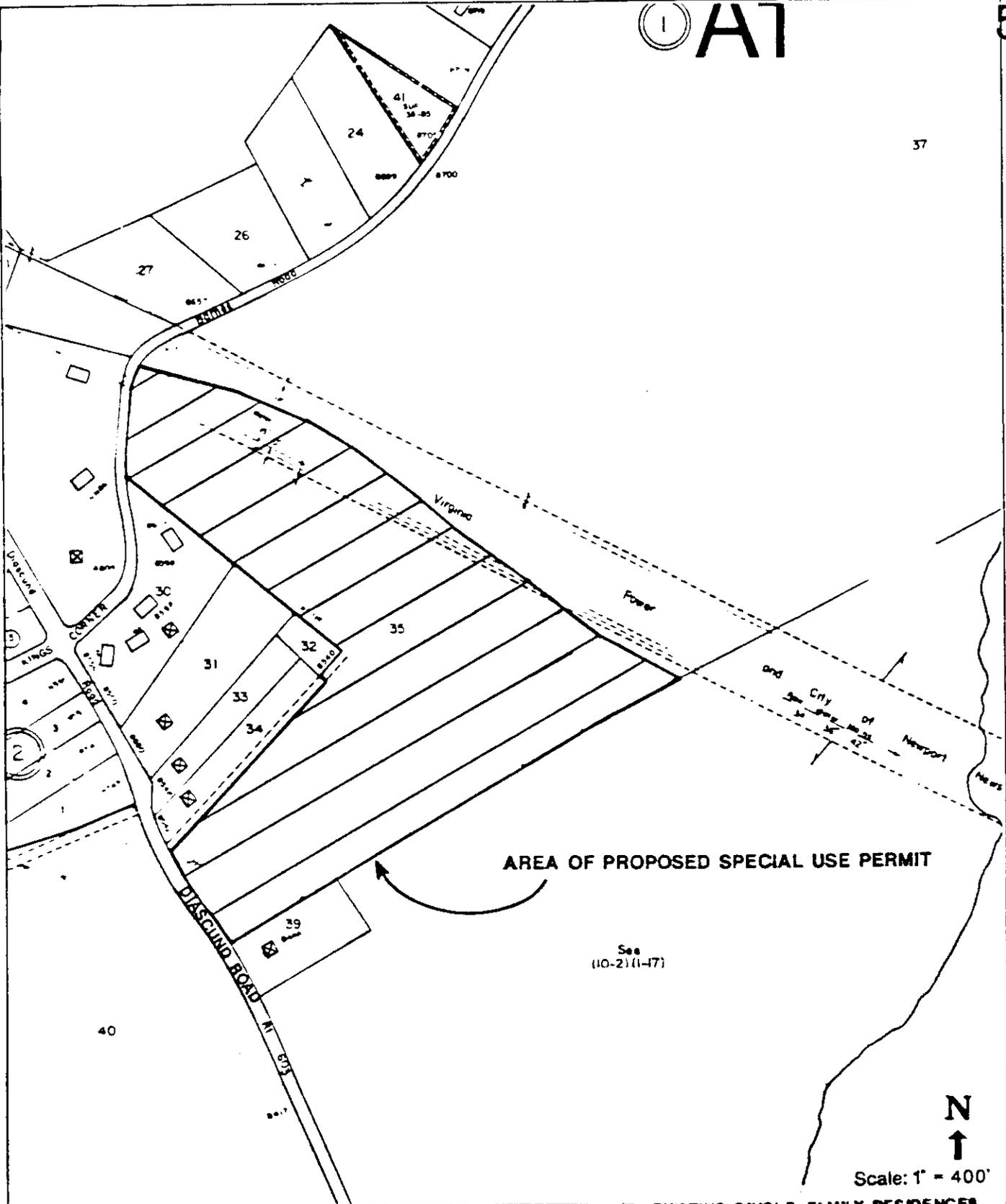
Mr. DePue arrived at 2:13 p.m.

- F1. Ordinance to Authorize Acquisition of Real Property - Alabama Company
- Mr. Edwards made reference to the Board Consideration.
- Mr. Taylor made a motion to approve the advertised ordinance.
- On a roll call, the vote was: AYE: Norment, Mahone, DePue, Edwards
(4). NAY: Taylor (1).
- Mr. DePue left the meeting at 2:15 p.m.
- Mr. Edwards convened the Board into executive session to discuss a legal matter pursuant to Section 2.1-344 (a)(6) of the Code of Virginia, 1950, as amended, at 2:15 p.m.
- Mr. Edwards reconvened the Board into open session at 2:58 p.m.
- Mr. Edwards made a motion to adjourn.
- On a roll call, the vote was: AYE: Norment, Taylor, Mahone, Edwards
(4). NAY: (0).
- The Board adjourned at 2:58 p.m.


David B. Norman
Clerk to the Board

0764w

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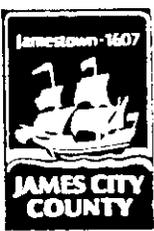
AREA OF PROPOSED SPECIAL USE PERMIT

See (10-2)(1-47)



Scale: 1" = 400'

- ☒ EXISTING SINGLE-FAMILY RESIDENCES
- ☐ EXISTING MOBILE HOMES



Case #: SUP-27-88

Name: JAMES O. & FRANCES J. FORD

JAMES CITY COUNTY/DEPARTMENT OF PLANNING & DEVELOPMENT

SEP 26 1988

ORDINANCE NO. 174A-1
AFD-8-86. CASEY AGRICULTURAL AND FORESTAL DISTRICT BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

WHEREAS, a request for withdrawal of seven acres abutting existing Virginia Power property and further shown on the attached sketch plan identified as Exhibit A and dated February 4, 1988, from the 969.13 acre Casey Agricultural and Forestal District has been filed by the James City County Board of Supervisors; and

WHEREAS, in accordance with Section 15.1-1513 of the Code of Virginia, a public hearing has been advertised and held on this request; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its August 17, 1988, meeting unanimously recommended approval of this request; and

WHEREAS, the Planning Commission at its August 22, 1988, meeting unanimously recommended approval of this request.

NOW, THEREFORE, BE IT ORDAINED:

1. That seven acres of the Casey Agricultural and Forestal District as described herein is hereby removed from the District with the following condition:

A. A deed shall be recorded conveying the acreage to Virginia Power.



Jack O. Edwards, Chairman
Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NORMENT	AYE
TAYLOR	AYE
MAHONE	AYE
EDWARDS	AYE
DEPUE	ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of September, 1988.

0743w

A J U S E D

SEP 26 1988

ORDINANCE NO. 159A-1

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF CERTAIN REAL PROPERTY
IN JAMES CITY COUNTY, VIRGINIA, ALL AS SHOWN ON A PLAT ATTACHED HERETO
FOR PUBLIC PURPOSES AND FOR CONSTRUCTING AND EXPANDING THE WATER SUPPLY
SYSTEM OWNED BY JAMES CITY COUNTY, VIRGINIA.

WHEREAS, in the opinion of the Board of Supervisors of James City
County, Virginia, a public necessity exists for the acquisition of
certain real property hereafter more particularly described, in James
City County, Virginia, as shown on a plat attached hereto, for
construction and expansion of a water supply system for public
purposes, and the preservation of the health, safety, peace, good
order, comfort, convenience, morals and welfare of James City County,
Virginia.

NOW, THEREFORE, James City County, Virginia hereby ordains:

Section 1. That the County Attorney and/or the law firm of
Anderson, & Franck, P.C., be, and they are hereby authorized and
directed to acquire in the manner provided by Title 15.1, Chapter 7,
Article 1 of the Code of Virginia, 1950, as amended, and by Title 33.1,
Chapter 1, Article 7 of the Code of Virginia, 1950, as amended, certain
real property in James City County, Virginia, and shown on a plat
attached hereto, together with all rights appurtenant thereto, for
public purposes and for constructing and expanding the water supply
system owned by the County of James City, the said property and
ownership being more particularly described in Section 3 of this
Ordinance.

Section 2. That the County Administrator is authorized and
directed to act for and on behalf of the County in agreeing or

disagreeing with the owner of the property upon the compensation and damages, if any, to be paid within the limit of the funds provided as set out in Section 4 of this Ordinance, which has been authorized and appropriated.

Section 3. That the name of the present owner of the land to be acquired as provided in Section 1 of this Ordinance together with a substantial description of the parcel is as follows:

Alabama Company, a Virginia Limited Partnership

8.4593 acres of land, more or less, in James City County, Virginia, as shown as "08.4593 ACRES" on a plat entitled "PLAT OF SURVEY, SHOWING PROPERTY OWNED BY ALABAMA COMPANY TO BE CONVEYED TO JAMES CITY COUNTY, STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA" prepared by G.T. Wilson, Jr., Certified Land surveyor of AES, a professional corporation dated 5/27/88, a copy of which is attached hereto and made a part hereof.

Section 4. The funds estimated as necessary to compensate the owner of the above-described parcel for land and damages, if any, within the limits of which the County Administrator is authorized to agree with them is Eight Thousand Four Hundred Fifty Nine and No/100 Dollars (\$8,459.00).

Section 5. The County Attorney and/or the law firm of Anderson & Franck, P.C. has notified the property owner of the compensation and damages offered by the County on August 4, 1988, pursuant to an emergency ordinance adopted by the Board of Supervisors of James City County on August 1, 1988.

Section 6. That in the event any of the property described in Section 3 of this Ordinance has been conveyed, the County Attorney and/or the law firm of Anderson & Franck, P.C. are authorized and directed to institute proceedings against successors in title.

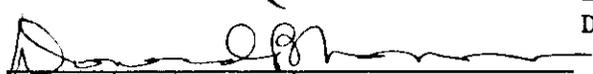


Jack D. Edwards
Chairman Board of Supervisors

SUPERVISOR VOTE

NORMENT	AYE
TAYLOR	NAY
MAHONE	AYE
EDWARDS	AYE
DEPUE	AYE

ATTEST:


Clerk to the Board

Adopted by the Board of Supervisors of James City County,
Virginia, this 26th day of September, 1988.

BOOK 414 PAGE 047

SEP 26 1988

ORDINANCE # 178

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

13348

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED, "OLD STAGE MANOR, SECTION ONE, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA," DATED MAY 22, 1965, AND MORE PARTICULARLY DESCRIBED AS THAT UNNAMED 50' RIGHT OF WAY BETWEEN LOTS 18 AND 19.

WHEREAS, application has been made by Mr. Joseph F. Phillips, Jr., on behalf of Thomas McCormick, Jr. and Patricia T. McCormick, owners of Lot 19, and Bruce P. Robertson and Clara H. Robertson, owners of Lot 18, of Old Stage Manor, Section One, to vacate certain lines, words, numbers and symbols on a plat more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and, 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 26th day of September, 1988, pursuant to such notice and was of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board of supervisors of James City County, Virginia:

1. That a portion of a certain subdivision plat entitled, "Old Stage Manor, Section One, Berkeley District, James City County, Virginia," dated May 22, 1965, prepared by McManus, Mrock & McManus, Civil Engineers-Land Surveyors', Williamsburg, Virginia, and recorded in Plat Book 22, Page 55, be vacated so as to permit the recordation of a new plat that will serve to remove certain lines, words, numbers and symbols as more specifically set forth in said plat and thereby vacating that 50' right of way between lots 18 and 19.
2. That a new plat entitled, "Plat to Accompany Boundary Line Adjustment Between Properties Standing in the Names of Thomas McCormick, Jr. & Patricia T. McCormick, Lot 19, Section 1, 'Old Stage Manor' and Bruce P. Robertson, Lot 18, Section 1, 'Old Stage Manor,' James City County, Virginia," dated December 15, 1987, prepared by Spearman & Assoc., Inc., Land Surveying, and approved by James City County, be put to record in the Clerk's Office of the Courthouse for the City of Williamsburg and County of James City, Virginia.
3. That said vacation shall be conditioned upon the purchase of the right-of-way by Thomas McCormick, Jr. and Patricia T. McCormick,

owners of Lot 19, and Bruce P. Robertson and Clara H. Robertson, owners of Lot 18, for the sum of \$966.75 such value being agreed upon by the applicants and James City County.

This ordinance shall be in full force and effect from the date of its adoption.

J. Edwards
Jack D. Edwards, Chairman
Board of Supervisors

SUPERVISOR	VOTE
NORMENT	AYE
TAYLOR	AYE
MAHONE	AYE
EDWARDS	AYE
DEPUE	ABSENT



ATTEST:

David B. Norman
David B. Norman
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia on the 26th day of September, 1988.

VIRGINIA: City of Williamsburg and County of James City, to wit:

In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City, the City of Williamsburg, 1988. This Ordinance 3 was presented with certificate annexed and admitted to record at 11:53 o'clock

Teste: Helena S. Ward, Clerk
by Charles H. Burkholz
Deputy Clerk

PLAT RECORDED IN
P.B. NO. 49 PAGE 87

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 26th day of September, 1988, at which the following members were present and absent:

PRESENT: Jack D. Edwards
 Thomas D. Mahone
 Thomas K. Norment, Jr.
 Stewart U. Taylor

ABSENT: Perry M. DePue

the following resolution was adopted by a majority of all members of the Board of Supervisors by a roll call vote, the ayes and nays being recorded in the minutes of the meeting as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Jack D. Edwards	Aye
Thomas D. Mahone	Aye
Thomas K. Norment, Jr.	Aye
Stewart U. Taylor	Aye

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$2,845,000 SCHOOL BONDS, SERIES OF 1988, OF JAMES CITY COUNTY, VIRGINIA, HERETOFORE AUTHORIZED, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Board of Supervisors (the Board) of James City County, Virginia (the County), has determined it to be necessary and expedient for the County to finance capital projects for public schools by contracting a debt in the amount of Two Million Eight Hundred Forty-Five Thousand Dollars (\$2,845,000), issuing its school bonds therefor and selling the same to the Virginia Public School Authority, a state agency prescribed by the General Assembly pursuant to Article VII, Section 10(b) of the Constitution of Virginia (the Authority); and

WHEREAS, the Authority has offered to purchase the County's \$2,845,000 school bonds pursuant to a Bond Sale Agreement dated as of September 23, 1988 (the Bond Sale Agreement), a draft of which has been presented to this meeting;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA:

1. It is hereby determined to be in the best interest of the County to accept the offer of the Authority to purchase the bonds in accordance with the terms of the Bond Sale Agreement. The Chairman of the Board and the County Administrator, or either of them, are hereby authorized and directed to execute the Bond Sale Agreement in substantially the form submitted to this meeting, which is hereby approved, and deliver it to the Authority. The County Administrator is hereby authorized to award the bonds to the Authority at a price of par and at an interest rate or rates complying with the provisions of paragraph 3, provided that the true interest cost to the County shall not exceed 9% per year.

2. The Board recognizes that the County is one of several localities selling bonds to the Authority and that therefore the Authority is dependent upon the County for its commitment to participate in the Authority's sale for the success of the sale as a whole.

3. The bonds shall be designated "School Bonds, Series of 1988," shall be dated the date of their delivery to the Authority, shall be in fully registered form, in denominations of \$5,000

and multiples thereof, and shall be numbered R-1 upward. The bonds shall mature in installments on December 15 in years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1989	\$ 65,000	1999	\$160,000
1990	65,000	2000	160,000
1991	85,000	2001	155,000
1992	125,000	2002	155,000
1993	160,000	2003	155,000
1994	160,000	2004	160,000
1995	160,000	2005	160,000
1996	160,000	2006	160,000
1997	160,000	2007	140,000
1998	160,000	2008	140,000

Each bond shall bear interest at such rate or rates as will produce a differential in each year of not more than 1/10 of 1% over the annual rate to be paid by the Authority on the bonds which it will sell to provide the necessary funds to purchase the County's bonds, as shall be determined at the time of sale, payable semi-annually on June 15 and December 15, beginning June 15, 1989, (a) from its date, if it is authenticated prior to June 15, 1989, or (b) otherwise from the June 15 or December 15 that is, or immediately precedes, the date on which it is authenticated (unless payment of interest thereon is in default, in which case such bond shall bear interest from the date to which interest has been paid). Principal and premium, if any, shall be payable to the registered owners upon surrender of the bonds as they become due at the principal corporate trust office of Central Fidelity Bank, Richmond, Virginia (the Paying Agent). Interest shall be payable by check or draft mailed to the registered owners at their

addresses as they appear on registration books kept by the Registrar, as hereinafter defined, on the first day of the month of the interest payment date. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

4. Bonds maturing on or before December 15, 1998, are not subject to redemption prior to maturity. Bonds maturing on or after December 15, 1999, are subject to redemption prior to maturity at the option of the County on or after December 15, 1998, in whole and not in part, at any time, upon payment of the principal amount thereof plus interest accrued and unpaid to the redemption date and a redemption premium of 3% of such principal amount if redeemed on or prior to December 14, 1999, 2% if redeemed thereafter and on or prior to December 14, 2000, 1% if redeemed thereafter and on or prior to December 14, 2001, and without premium if redeemed thereafter; provided, however, that no bonds owned by the Authority may be redeemed without its prior written consent.

Unless waived by the owner of a bond, the County shall cause notice of the call for redemption to be sent by registered or certified mail, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of each bond at its address as it appears on the registration books kept by the Registrar.

5. The Paying Agent is hereby appointed Registrar and shall maintain registration books for the registration of bonds.

Upon surrender of any bonds at the principal corporate trust office of the Registrar, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute, and the Registrar shall authenticate and deliver in exchange, a new bond or bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that all interest payments shall be made to the person shown as owner on the registration books on the first day of the month of each interest payment date.

6. The bonds shall be signed by the manual or facsimile signature of the Chairman of the Board, shall be countersigned by the manual or facsimile signature of the Clerk of the Board and the Board's seal shall be affixed thereto or a facsimile thereof printed thereon; provided, however, that if both of such signatures are facsimiles, no bond shall be valid until it has been

authenticated by the manual signature of an authorized officer or employee of the Registrar and the date of authentication noted thereon.

7. The bonds shall be in substantially the following form:

(Form of Printed Bond)

REGISTERED

REGISTERED

No. R-__

\$_____

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

JAMES CITY COUNTY

School Bond, Series of 1988

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____%	December 15, _____	_____, 1988	_____

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

James City County, Virginia (the County), for value received, hereby promises to pay, upon surrender hereof at the principal corporate trust office of Central Fidelity Bank, Richmond, Virginia (the Registrar), to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject

to prior redemption as hereinafter provided, and to pay interest hereon semiannually on each June 15 and December 15, beginning June 15, 1989, at the annual rate stated above. Interest is payable (a) from _____, 1988, if this bond is authenticated prior to June 15, 1989, or (b) otherwise from the June 15 or December 15 that is, or immediately precedes, the date on which this bond is authenticated (unless payment of interest hereon is in default, in which case this bond shall bear interest from the date to which interest has been paid). Interest is payable by check or draft mailed to the person shown as owner hereof at his address as it appears on the registration books kept by the Registrar on the first day of the month of the interest payment date. Principal, premium, if any, and interest are payable in lawful money of the United States of America.

THE PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF, AND SUCH CONTINUED PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH ON THE FACE HEREOF.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

This bond shall not be valid until the Registrar shall have executed the Certificate of Authentication appearing hereon and inserted the date of authentication hereon.

IN WITNESS WHEREOF, the Board of Supervisors of James City County, Virginia, has caused this bond to be signed by the facsimile signature of its Chairman, to be countersigned by the facsimile signature of its Clerk, a facsimile of its seal to be printed hereon, and this bond to be dated _____, 1988.

COUNTERSIGNED:

Clerk, Board of Supervisors of James City County, Virginia	(SEAL)	Chairman, Board of Supervisors of James City County, Virginia
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CERTIFICATE OF AUTHENTICATION

Date Authenticated: _____

This bond is one of the bonds described in the within-mentioned resolutions.

CENTRAL FIDELITY BANK,
Registrar

By _____
Authorized Signature

(Reverse of Bond)

ADDITIONAL BOND PROVISIONS

This bond is one of an issue of \$2,845,000 School Bonds, Series of 1988, of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity, authorized and issued pursuant to resolutions adopted by the

County's Board of Supervisors on August 1, 1988, September 19, 1988, and October __, 1988, and the Constitution and statutes of the Commonwealth of Virginia, including Article VII, Section 10(b) of the Constitution and the Public Finance Act, to provide funds for financing capital projects for public schools.

Bonds maturing on or before December 15, 1998, are not subject to redemption prior to maturity. Bonds maturing on or after December 15, 1999, are subject to redemption prior to maturity at the option of the County on or after December 15, 1998, in whole and not in part, at any time, upon payment of the principal amount thereof plus interest accrued and unpaid to the redemption date and a redemption premium of 3% of such principal amount if redeemed on or prior to December 14, 1999, 2% if redeemed thereafter and on or prior to December 14, 2000, 1% if redeemed thereafter and on or prior to December 14, 2001, and without premium if redeemed thereafter; provided, however, that no bonds owned by the Virginia Public School Authority are subject to redemption without its prior written consent.

Unless waived by the owner of a bond, the County shall cause notice of the call for redemption to be sent by registered or certified mail, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of each bond at its address as it appears on the registration books kept by the Registrar.

The full faith and credit of the County are hereby irrevocably pledged for the payment of principal of and interest on this bond.

The bonds are issuable as fully registered bonds in denominations of \$5,000 and multiples thereof. Upon surrender of this bond at the principal corporate trust office of the Registrar, together with an assignment duly executed by the then registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute, and the Registrar shall authenticate and deliver in exchange, a new bond or bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner hereof or his duly authorized attorney or legal representative, all subject to the limitations and conditions provided in the resolutions providing for the issuance of the bonds. Any such exchange shall be at the expense of the County, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the first day of the month of each interest payment date.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto _____

(Please print or type name and address, including zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF TRANSFEREE:

:
:
:
_____:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

Signature of Registered Owner
NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular, without alteration or enlargement or any change whatsoever.

8. At the request of the Authority, the bonds shall be issued initially as a single temporary typewritten bond in registered form. While the bond is held by the Authority in temporary typewritten form, the County Treasurer shall act as Registrar,

the provisions of paragraph 5 to the contrary notwithstanding. In addition, while the bond is held by the Authority in such form, principal of and interest on the bond payable prior to December 15, 2008, shall be payable by check or draft mailed by the Paying Agent to the registered owner of the bond at its address as it appears on the registration books kept for that purpose by the County Treasurer. Principal of and interest on the bond payable on December 15, 2008, shall be payable upon presentation and surrender of the bond at the principal corporate trust office of the Paying Agent.

Upon request of the Authority, the County shall arrange to have prepared, executed, authenticated and delivered in exchange as soon as practicable bonds in printed form in an aggregate principal amount equal to the unpaid principal of the bond in typewritten form, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in such names as requested by the Authority or its duly authorized attorney or legal representative. The temporary typewritten bond surrendered in any such exchange shall be canceled.

9. The temporary typewritten bond shall be in substantially the following form:

(Form of Temporary Bond)

No. R-1 \$2,845,000

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

JAMES CITY COUNTY

School Bond, Series of 1988

James City County, Virginia (the County), for value received, hereby promises to pay to

VIRGINIA PUBLIC SCHOOL AUTHORITY

or registered assigns or legal representative, the principal sum of

TWO MILLION EIGHT HUNDRED FORTY-FIVE THOUSAND DOLLARS
(\$2,845,000)

in installments on December 15 in years and amounts, together with interest at rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
1989	\$ 65,000	%	1999	\$160,000	%
1990	65,000		2000	160,000	
1991	85,000		2001	155,000	
1992	125,000		2002	155,000	
1993	160,000		2003	155,000	
1994	160,000		2004	160,000	
1995	160,000		2005	160,000	
1996	160,000		2006	160,000	
1997	160,000		2007	140,000	
1998	160,000		2008	140,000	

subject to prepayment as hereinafter provided. Interest is payable semiannually on June 15 and December 15, beginning June 15, 1989. Principal of and interest on this Bond payable prior to December 15, 2008, are payable by check or draft mailed by Central Fidelity Bank, Richmond, Virginia (the Paying Agent), to the registered owner hereof at its address as it appears on the registration books kept for that purpose by the County Treasurer, who has been appointed Registrar. Principal of and interest on this Bond payable on December 15, 2008, are payable upon presentation and surrender hereof at the principal corporate trust office of the Paying Agent. Principal, premium, if any, and interest are payable in lawful money of the United States of America. Schedule "A" attached hereto sets forth the dates and amounts of required principal and interest payments on this bond.

This bond has been authorized and issued pursuant to resolutions adopted by the County's Board of Supervisors on August 1, 1988, September 20, 1988, and October __, 1988, and the Constitution and statutes of the Commonwealth of Virginia, including Article VII, Section 10(b) of the Constitution and the Public Finance Act, to provide funds for financing capital projects for public schools.

Prior to December 15, 1998, the principal of this bond is not subject to prepayment prior to maturity. On or after December 15, 1998, the principal of this bond is subject to prepayment prior to maturity at the option of the County on or after December 15, 1998, in whole and not in part, at any time, upon

payment of the outstanding principal amount plus interest accrued and unpaid to the prepayment date and a premium of 3% of such principal amount if prepaid on or prior to December 14, 1999, 2% if prepaid thereafter and on or prior to December 14, 2000, 1% if prepaid thereafter and on or prior to December 14, 2001, and without premium if prepaid thereafter; provided, however, that this bond shall not be subject to prepayment while owned by the Virginia Public School Authority without its prior written consent.

Unless waived by the owner of this bond, the County shall cause notice of prepayment to be sent by registered or certified mail, not less than 30 nor more than 60 days prior to the prepayment date, to the registered owner hereof at its address as it appears on the registration books kept by the Registrar.

The full faith and credit of the County are hereby irrevocably pledged for the payment of principal of and interest on this bond.

This bond may be exchanged without cost at the principal corporate trust office of the Paying Agent for bonds in printed form in denominations of \$5,000 and multiples thereof in an aggregate principal amount equal to the unpaid principal of this bond.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and this bond, together

with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of James City County, Virginia, has caused this bond to be signed by its Chairman, to be countersigned by its Clerk, its seal to be affixed hereto, and this bond to be dated _____, 1988.

COUNTERSIGNED:

Clerk, Board of Supervisors
of James City County, Virginia

(SEAL)

Chairman, Board of Supervisors
of James City County, Virginia

10. The full faith and credit of the County are hereby irrevocably pledged for the payment of principal of and interest on the bonds. Unless other funds are lawfully available and appropriated for timely payment of the bonds, the Board of Supervisors shall levy and collect an annual ad valorem tax over and above all other taxes authorized or limited by law sufficient to pay the principal of and interest on the bonds, as the same become due and payable.

11. The County Administrator and the County Treasurer, or either of them, are hereby authorized and directed to execute an agreement (the Proceeds Agreement) between the County, the Authority, a bank or trust company, as depository, and an investment manager, both to be selected by the Authority, providing for the deposit of the proceeds of the bonds and the custody,

investment and disbursement of such proceeds; provided, however, that such proceeds shall be invested in such manner that none of the bonds will be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations applicable to the bonds (the Code). The Proceeds Agreement shall be in such form as shall be approved by the County Attorney and bond counsel for the County.

12. The County Treasurer is hereby authorized and directed to provide for the deposit of the proceeds of the bonds in accordance with the provisions of the Proceeds Agreement.

13. The County hereby covenants that it shall not take or omit to take any action the taking or omission of which will cause the bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, or otherwise cause interest on the bonds to be includable in the gross income of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the bonds.

14. Such officers of the County as may be requested are hereby authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code. Such certificate shall be in such form as may be requested by bond counsel for the County.

15. The County hereby covenants that it shall not permit the gross proceeds of the bonds to be used in any manner that would result in (a) 10% or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any person other than a governmental unit within the meaning of Section 141(b) of the Code, (b) 5% or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit within the meaning of Section 141(c) of the Code, or (c) any part of the principal of or interest on the bonds being considered as being federally guaranteed, directly or indirectly, within the meaning of Section 149(b) of the Code, except as permitted by such section; provided, however, that if the County receives an opinion of bond counsel to the County with respect to the bonds and bond counsel to the Authority with respect to the Authority's School Financing Bonds (1987 Resolution), 1988 Series B, that compliance with any such restriction is not required to prevent interest on the bonds of both issues from being includable in the gross income of the registered owners thereof under existing law, the County need not comply with such restriction.

16. The County hereby represents and covenants as follows:

(a) The County and all its "subordinate entities," within the meaning of Section 148(f)(4)(iii) of the Code, have not issued more than \$5,000,000 of tax-exempt obligations in 1988 (not including "private activity bonds," as defined in Section 141 of the Code), including the bonds;

(b) Barring circumstances unforeseen as of the date of delivery of the bonds, the County will not issue tax-exempt obligations itself or approve the issuance of tax-exempt obligations of any of such subordinate entities if the issuance of such tax-exempt obligations would, when aggregated with all other tax-exempt obligations theretofore issued in 1988 by the County and such subordinate entities, including the bonds, result in the County and such subordinate entities having issued a total of more than \$5,000,000 of tax-exempt obligations in 1988 (not including private activity bonds);

(c) The County has no reason to believe that the County and such subordinate entities will issue tax-exempt obligations in 1988 in an aggregate amount that will exceed such \$5,000,000 limit; and

(d) At least 95% of the proceeds of the bonds shall be used for "local government activities" of the County, within the meaning of Section 148(f)(4)(ii) of the Code;

provided, however, that if the County receives an opinion of bond counsel to the County with respect to the bonds and bond counsel to the Authority with respect to the Authority's School Financing Bonds (1987 Resolution), 1988 Series B, that compliance with any restriction set forth in (b) or (d) above will not prevent the County from having to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the County's bonds, the County need not comply with such restriction.

17. After the bonds have been awarded, the Chairman and the Clerk of the Board are hereby authorized and directed to take all proper steps to have the bonds prepared and executed in accordance with their terms and to deliver the bonds to the Authority upon payment therefor.

18. The Clerk of the Board is hereby authorized and directed to cause a certified copy of this resolution to be delivered forthwith to the Clerk of the County School Board. The bonds hereby authorized shall not be issued until the County School Board shall have adopted an appropriate resolution consenting to the issuance of the bonds.

19. All other action of officers of the County in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the bonds are hereby approved and confirmed. The officers of the County are hereby authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the bonds.

20. The Clerk of the Board, in collaboration with the County Attorney, is hereby authorized and directed to see to the immediate filing of a certified copy of this resolution with the Circuit Court for the City of Williamsburg and the County of James City and within ten days thereafter to cause to be published once in a newspaper having general circulation in the County a notice setting forth (a) in brief and general terms the

purpose for which the bonds are to be issued and (b) the amount of such bonds.

21. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

22. This resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board of Supervisors held the 26th day of September, 1988, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my signature and the seal of the Board of Supervisors of James City County, Virginia, this 26th day of September, 1988.

(SEAL)


 Clerk, Board of Supervisors of
 James City County, Virginia