

ADOPTED

AUG 12 2008

ORDINANCE NO. 170A-15

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

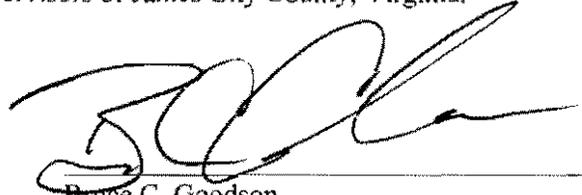
AN ORDINANCE TO APPROVE THE WITHDRAWAL OF

A PARCEL OF PROPERTY KNOWN AS THE WARBURTON TRACT FROM THE

GORDON CREEK AGRICULTURAL AND FORESTAL DISTRICT

- WHEREAS, Mr. Vernon M. Geddy, III has filed a request with the Board of Supervisors of James City County (the "Board of Supervisors") on behalf of Realtec, Inc. to remove the 180.7-acre "Warburton Tract" located at 3889 News Road and further identified as James City County Real Estate Tax Map No. 3730100004 (the "Property") from the Gordon Creek Agricultural and Forestal District (the "Application"); and
- WHEREAS, at its May 5, 2008, meeting, the James City County Agricultural and Forestal District (AFD) Advisory Committee recommended approval of the Application by a vote of 4 to 2; and
- WHEREAS, at its meeting on July 2, 2008, the Planning Commission of James City County (the "Planning Commission") recommended approval of the Application by a vote of 4 to 3; and
- WHEREAS, subsequent to the Planning Commission's meeting, it was discovered that the Application was not properly advertised for either the July 2, 2008, Planning Commission meeting or the July 8, 2008 Board of Supervisors meeting; and
- WHEREAS, the Application was properly re-advertised for the August 6, 2008 Planning Commission meeting and the August 12 Board of Supervisors meeting; and
- WHEREAS, at its meeting on August 6, 2008, the Planning Commission voted 3 to 3 on this ordinance; and
- WHEREAS, the Board of Supervisors finds that the withdrawal request conforms to the applicable Board of Supervisors policy regarding removal of lands from an AFD within the Primary Service Area, which policy is set forth in the resolution dated September 24, 1996 and entitled "Withdrawal of Lands from the Gordon Creek Agricultural and Forestal Districts Within the Primary Service Area."
- NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that pursuant to the authority granted by Section 15.2-1427(F) of the Code of Virginia, 1950, as amended, the Board of Supervisors of James City County, Virginia hereby removes the 180.7-acre property commonly known as the Warburton Tract, located at 3889 News Road and further identified as James City County Real Estate Tax Parcel No. 3730100004 from the Gordon Creek Agricultural and Forestal District.

BE IT FURTHER ORDAINED, that the emergency ordinance adopted by the Board on July 8, 2008, is hereby readopted by the Board of Supervisors of James City County, Virginia.



Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
ICENHOUR	NAY
MCGLENNON	NAY
JONES	AYE
KENNEDY	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of August, 2008.

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