

## RESOLUTION

### TO AUTHORIZE THE ACQUISITION OF CERTAIN REAL PROPERTY IN

### JAMES CITY COUNTY, VIRGINIA, FOR PUBLIC PURPOSES AND FOR CONSTRUCTING A

### PUBLIC PARK IN 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, for the operation of a public park in James City County, Virginia, for public purposes and the preservation of the health, safety, peace, good order, comfort, convenience, morals, and welfare of James City County, Virginia; and

WHEREAS, a public hearing was held August 15, 1994, pursuant to Section 15.1-238 E of the Code of Virginia, 1950, as amended, on the proposed acquisition.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Board declares it desirable to acquire the property and hereby declares that a public necessity therefore exists and the Board further finds as follows:

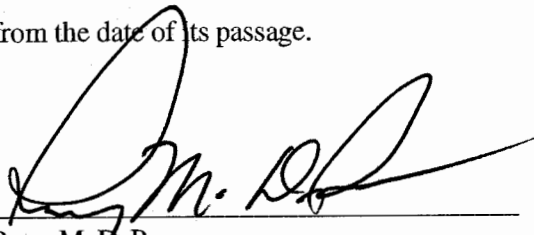
1. The County Attorney and/or the law firm of Randolph, Boyd, Cherry & Vaughan, be, and they are hereby authorized and directed to acquire in the manner provided by Section 15.1-236 et. seq. of the 1950 Code of Virginia, as amended, and by Section 25-46.1 et. seq. of the 1950 Code of Virginia, as amended, certain real property in James City County, Virginia, together with all rights and appurtenances thereto, for public purposes and for the operation of a public park with public recreational facilities and playgrounds in the County of James City.
2. 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 just compensation as set out in Section 4 of the Resolution which has been authorized.
3. The name of the present owner of the property to be acquired as provided in Section 1 of this Resolution together with a substantial description of the parcel is as follows:

Eva M. Hitchens

27.892 acres of land, more or less, in James City County, Virginia, identified as Tax Parcel (23-2)(1-30A) and located adjacent to Norge Elementary School as shown on a copy of the James City County tax map attached hereto and made a part hereof.

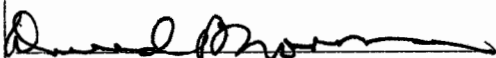
4. The amount estimated as necessary to compensate the owner of the above-described parcel for said land and within which the County Administrator is authorized to agree with the landowner is Two Hundred Thousand and no/100 Dollars (\$200,000.00).

5. The County Attorney and/or the law firm of Randolph, Boyd, Cherry & Vaughan, shall notify the property owners of the compensation and damages by the County forthwith on or before September 14, 1994.
6. That in the event of the property described in Section 3 of this Resolution has been conveyed, the County Attorney and/or the law firm of Randolph, Boyd, Cherry & Vaughan, are authorized and directed to institute proceedings against successors in title.
7. That this Resolution shall be in effect from the date of its passage.

  
\_\_\_\_\_  
Perry M. DePue

Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	NAY
SISK	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 15th day of August, 1994.

pubpark.res