

RESOLUTION AUTHORIZING THE ACQUISITION OF 52.22 +/- ACRES OF LAND

IN JAMES CITY COUNTY, VIRGINIA, DESIGNATED AS

PARCEL (1-1) ON JAMES CITY COUNTY REAL ESTATE TAX MAP (30-3)

AND PARCEL (1-7) ON JAMES CITY COUNTY REAL ESTATE TAX MAP (30-1)

FOR PUBLIC PURPOSES OF WASTE MANAGEMENT.

WHEREAS, in the opinion of the Board of Supervisors of James City County, a public necessity exists for the acquisition of certain real property, hereinafter more particularly described, in James City County, Virginia, for waste management purposes and for the preservation of the health, safety, peace, good order, comfort, convenience, morals, and welfare of James City County, Virginia.

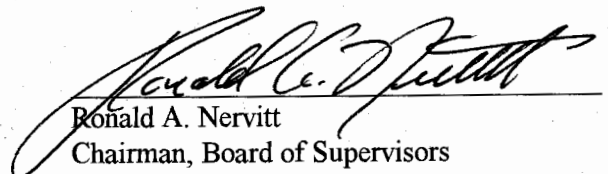
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia:

1. That the acquisition of the hereinafter described property for waste management purposes is declared to be a public necessity pursuant to § 15.2-1903, Code of Virginia (1950), as amended and to constitute an authorized public undertaking pursuant to § 25-232.01, Code of Virginia (1950), as amended.
2. That pursuant to § 15.2-1905, Code of Virginia (1950), as amended, the Board of Supervisors hereby declares its intent to enter and take the hereinafter described property and further declares the necessity to enter and take the hereinafter described property prior to or during the condemnation proceedings, and further that pursuant to the aforesaid section the County is hereby vested with those powers granted the Commonwealth Transportation Commissioners pursuant to §§ 33.1-119 through 33.1-132.
3. That the County shall notify the property owner by certified mail, on or before November 30, 2000, of the County's intent to enter upon and take the hereinafter described property for the amount specified in paragraph numbered 5 below.
4. That the County Attorney and/or the law firm of Randolph, Boyd, Cherry and Vaughan be, and they are hereby authorized and directed to acquire the hereinafter described property in the manner provided in Title 33.1, Chapter 1, Article 7, Code of Virginia (1950), as amended, and, to the extent applicable, Titles 15.2 and 25, Code of Virginia (1950), as amended.
5. The name of the present owner of the land to be acquired, together with a substantial description of the parcel, is as follows:

L. Wallace Sink, Trustee of the David W. Ware Marital Trust
under the Will of David W. Ware, deceased

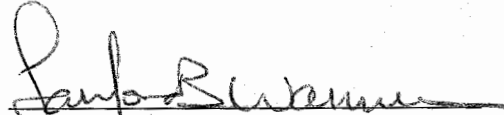
52.22 +/- acres of land designated as Parcel (1-1) on James City County Real Estate Tax Map (30-3) and Parcel (1-7) on James City County Real Estate Tax Map (30-1) it being the same property conveyed by a deed recorded in the James City County Circuit Court Clerk's Office in Book 780 at Page 141.

- 6. The County has determined that the just compensation due to the landowner for the land being acquired for public purposes is \$61,259 and that there is no residue; that said sum was offered to the property owner and was thereafter refused.
- 7. That in the event any of the property described in paragraph numbered 5 of this Resolution has been conveyed, the County Attorney and/or the law firm of Randolph, Boyd, Cherry and Vaughan are authorized and directed to institute proceedings against successors in title.
- 8. An emergency is declared to exist and this resolution shall be in effect from the date of its passage.


 Ronald A. Nervitt
 Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
HARRISON	AYE
GOODSON	AYE
KENNEDY	AYE
NERVITT	AYE

ATTEST:


 Sanford B. Wanner
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of November, 2000.