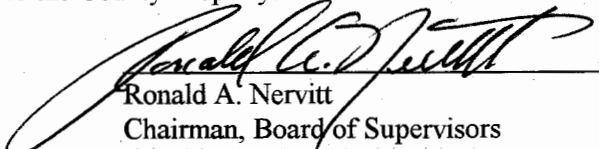


**RESOLUTION**

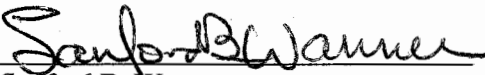
**ACCEPTING CIVIL CHARGE, RESTORATION PLAN, AND COMPENSATION FOR TRESPASS**

- WHEREAS, Robert B. Rausenberger ("Mr. Rausenberger") is the owner of a 1.33± acre parcel of land, commonly known as 109 Elizabeth Meriwether, designated as Parcel No. (2-164) on James City County Real Estate Tax Map No. (49-2) (the "Rausenberger Property"); and
- WHEREAS, the County of James City, Virginia, is the owner of a 60± acre parcel of land designated as Parcel No. (1-9) on James City County Real Estate Tax Map No. (50-1) (the "County Property"); and
- WHEREAS, on or about July 11, 2000, Mr. Rausenberger cleared 9 trees in the Resource Protection Area on the Rausenberger Property and 33 trees on the County Property in the Resource Protection Area and/or the Wetlands; and
- WHEREAS, Mr. Rausenberger has agreed to the Restoration Plan to replant 18 trees on the Rausenberger Property and 50 trees on the County Property in order to remedy the clearing violation under the County's Chesapeake Bay Preservation Ordinance; and
- WHEREAS, Mr. Rausenberger has offered to pay \$4,000 to the County as a civil charge under the County's Chesapeake Bay Preservation Ordinance; and
- WHEREAS, Mr. Rausenberger has offered to pay \$3,262 which is the estimated value of the trees removed from the County Property; and
- WHEREAS, the James City County Board of Supervisors is willing to accept the Restoration Plan, the civil charge, and the payment for damages to the County Property in full settlement of the Chesapeake Bay Preservation Ordinance violation and damages for the trespass on the County Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to enter into a settlement agreement with Robert B. Rausenberger accepting the Restoration Plan, the \$4,000 civil charge, and the \$3,262 payment for damages to the County Property.

  
\_\_\_\_\_  
Ronald A. Nervitt  
Chairman, Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
Sanford B. Wanner  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of October, 2000.