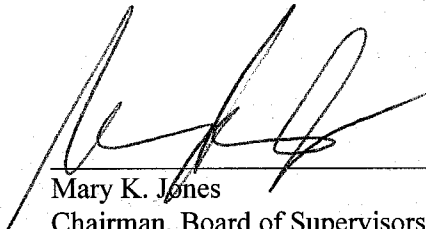


## RESOLUTION

### CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATIONS - CIVIL CHARGE -

#### LINDA SCHALLER, 2509 SANCTUARY DRIVE, GOVERNOR'S LAND SUBDIVISION

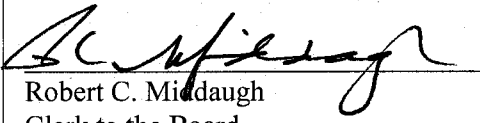
- WHEREAS, Linda Schaller of 2509 Sanctuary Drive, Governor's Land, is the owner of a certain parcel of land commonly known as 2509 Sanctuary Drive, Williamsburg, Virginia, designated as Parcel Identification No. (PIN) 4420100016, within James City County's Real Estate system, herein referred to as the ("Property"); and
- WHEREAS, Ms. Mish Kara and Mr. Jay Cone of 2505 Sanctuary Drive, Governor's Land, are the owners of a certain parcel of land commonly known as 2505 Sanctuary Drive, Williamsburg, Virginia, designated as PIN. 4420300017, within the James City County's Real Estate system, herein referred to as the ("Property"); and
- WHEREAS, the Governor's Land Foundation is the owner and James City County is the holder of a conservation easement of a certain parcel of land commonly known as Open Space 13 within the Whittaker Island subdivision, Williamsburg, Virginia, designated as PIN 4420100016A, within James City County's Real Estate system, herein referred to as the ("Property"); and
- WHEREAS, on or about April 27, 2011, Ms. Schaller caused the removal of vegetation from within the Chesapeake Bay Preservation Area and conservation easement on the Property; and
- WHEREAS, Ms. Schaller will execute a Chesapeake Bay Restoration Agreement with the County agreeing to install native canopy trees, native understory trees, and native shrubs within the Resource Protection Area (RPA) on the Property in order to remedy a violation of the County's Chesapeake Bay Preservation Ordinance and will post sufficient surety guaranteeing the installation of the aforementioned improvements and the restoration of the RPA and conservation easement on the Property; and
- WHEREAS, Ms. Schaller has agreed to pay a total of \$13,000 to the County as a civil charge under the County's Chesapeake Bay Preservation Ordinance; and
- WHEREAS, the James City County Board of Supervisors is willing to accept the restoration of the impacted area and the civil charge in full settlement of the Chesapeake Bay Preservation Ordinance violation, in accordance with Section 23-18 of the Code of the County of James City.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$13,000 civil charge from Ms. Schaller as full settlement of the Chesapeake Bay Preservation Ordinance Violations on the Property.



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Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:



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Robert C. Middaugh  
Clerk to the Board

<u>SUPERVISORS</u>	<u>VOTE</u>
KENNEDY	AYE
GOODSON	AYE
MCLENNON	AYE
ICENHOUR	AYE
JONES	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of September, 2011.

OrdVio-Schaller\_res