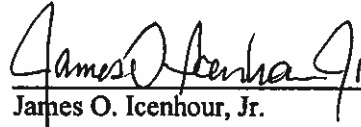


## RESOLUTION


### AMENDMENT TO REGJAG/GILLEY DEED OF EASEMENT

- WHEREAS, on June 25, 2013, the Board of Supervisors of James City County, Virginia, (the "Board") adopted a resolution accepting an offer to sell to the County of James City (the "County") a conservation easement on properties identified as James City County Real Estate Tax Map No. 4740100040 (227 Gate House Boulevard), 4740100041 (134 Smokehouse Lane), 4740100042 (unaddressed), and 4740100042E (131 Smokehouse Lane), together, the "Property"); and
- WHEREAS, the conservation easement on the Property was recorded in the Clerk's Office for the City of Williamsburg and the County of James City on April 18, 2014, as Instrument No. 140006461 (the "Easement") which, among other restrictions, limits the height of fencing on the Property to six feet, and sets forth procedures for the Grantor to grant approvals and permissions; and
- WHEREAS, Mr. Coby Linton, member and manager of Smokehouse Lane, LLC, has requested that the Board amend the Easement to permit eight-foot wire mesh fencing on the Property in order to protect seedlings to be planted as part of a reforestation and water quality effort at 134 Smokehouse Lane; and
- WHEREAS, Section X of the Easement permits amendment upon the written consent of the grantee and grantor, Section 15.2-1800 of the Code of Virginia, 1950, as amended (the "Virginia Code") permits the County to, *inter alia*, exchange interest in real property.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby find that the proposed amendment to the conservation easement on property identified as James City County Real Estate Tax Map No. 4740100041 that is recorded in the Clerk's Office for the City of Williamsburg and the County of James City on April 18, 2014, as Instrument No. 140006461 (the "Easement") is in the best interest of the citizens of James City County, furthers the goals of the County's Comprehensive Plan, and comports with the Virginia Open Space Land Act set forth in Section 10.1-1700 et seq. of the Code of Virginia.
- BE IT FURTHER RESOLVED that the County Administrator of James City County, Virginia, or his designee, is hereby authorized to sign those documents necessary to amend the Easement to allow wire mesh fencing up to eight feet in height, to provide a mechanism for the County to consider and grant permission for fencing not meeting the criteria set forth in the terms of the Easement, and other minor amendments as may be necessary to further the goals as articulated in the staff report and this resolution.



James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

AmdRjagGilyDOE-res