

ADOPTED

JUL 8 2008

EMERGENCY ORDINANCE NO. 170A-15A BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN EMERGENCY ORDINANCE TO APPROVE THE WITHDRAWAL OF

A PARCEL OF PROPERTY KNOWN AS THE WARBURTON TRACT FROM THE

GORDON'S CREEK AGRICULTURAL AND FORESTAL DISTRICT

WHEREAS, Mr. Vernon M. Geddy, III has filed a request with the Board of Supervisors of James City County (the "Board of Supervisors") on behalf of Realtec, Inc. to remove the 180.7-acre "Warburton Tract" located at 3889 News Road and further identified as James City County Real Estate Tax Map No. 3730100004 (the "Property") from the Gordon's Creek Agricultural and Forestal District (the "Application"); and

WHEREAS, at its May 5, 2008, meeting, the James City County Agricultural and Forestal District (AFD) Advisory Committee recommended approval of the Application by a vote of 4 to 2; and

WHEREAS, at its meeting on July 2, 2008, the Planning Commission of James City County (the "Planning Commission") recommended approval of the Application by a vote of 4 to 3; and

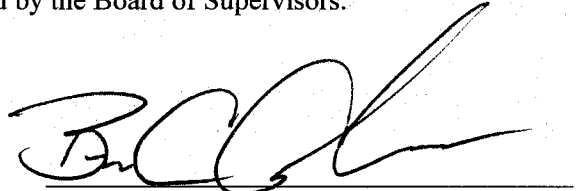
WHEREAS, subsequent to the Planning Commission's meeting, it was discovered that the Application was not properly advertised for either the July 2, 2008, Planning Commission meeting or the July 8, 2008 Board of Supervisors meeting; and

WHEREAS, the Board of Supervisors wishes to consider the pending rezoning and master plan applications submitted by Realtec, Inc. at its meeting on July 8, 2008, but cannot do so until the Property is removed from the AFD; and

WHEREAS, the Board of Supervisors finds that the withdrawal request conforms to the applicable Board of Supervisors policy regarding removal of lands from an AFD within the Primary Service Area, which policy is set forth in the resolution dated September 24, 1996 and entitled "Withdrawal of Lands from the Gordon's Creek Agricultural and Forestal Districts Within the Primary Service Area."

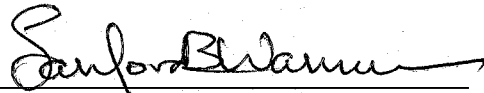
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that pursuant to the authority granted by Section 15.2-1427(F) of the Code of Virginia, 1950, as amended, the Board of Supervisors of James City County, Virginia hereby removes the 180.7-acre property commonly known as the Warburton Tract, located at 3889 News Road and further identified as James City County Real Estate Tax Parcel No. 3730100004 from the Gordon's Creek Agricultural and Forestal District.

BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that an emergency is hereby declared to exist and this ordinance shall be effective immediately and for a period of 60 days unless readopted by the Board of Supervisors.



Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
ICENHOUR	NAY
MCGLENNON	NAY
JONES	AYE
KENNEDY	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of July, 2008.

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