

**ADOPTED**

**MAR 12 2024**

**Board of Supervisors  
James City County, VA**

ORDINANCE NO. 240


AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" AND MORE PARTICULARLY DESCRIBED AS THE VACATION OF THE 50-FOOT RIGHT-OF-WAY KNOWN AS MOORE DRIVE

- WHEREAS, the right-of-way for Moore Drive was dedicated by plat entitled "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" recorded in the Clerk's Office for the Circuit Court of the County of James City on May 29, 1973, in Plat Book 30, Page 60 (the "Plat"); and
- WHEREAS, Moore Drive was never brought into the Virginia Department of Transportation's system of maintenance and was never improved; and
- WHEREAS, the County of James City (the "County") has no surety to improve Moore Drive and has no intention of improving Moore Drive; and
- WHEREAS, there are two existing houses along Moore Drive that use an alternate driveway to access Route 60 and there is one new house planned at 117 Moore Drive that will use a newly-constructed gravel path along Moore Drive to access the property; and
- WHEREAS, notice that the Board of Supervisors of the County of James City, Virginia, would consider this vacation has been given pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended (the "Virginia Code"); and
- WHEREAS, pursuant to Section 15.2-2274 of the Virginia Code, the County's interest in the right-of-way is not extinguished unless and until an Ordinance of Vacation is recorded in the Clerk's Office for the Circuit Court of the County of James City (the "Clerk's Office"); and
- WHEREAS, at its meeting on March 12, 2024, pursuant to Section 15.2-1800 and following a duly-advertised public hearing, the Board of Supervisors approved granting a perpetual ingress/egress easement for all property owners and their heirs, successors, assigns, and invitees to use the entirety of Moore Drive, which easement shall be recorded in the Clerk's Office prior to recordation of the Ordinance of Vacation; and
- WHEREAS, pursuant to Section 15.2-2274 of the Virginia Code, the Board of Supervisors held a public hearing and considered the vacation of the right-of-way along Moore Drive and the Board of Supervisors was of the opinion that the vacation would not result in any inconvenience, would not cause any irreparable damage to any owner of a lot shown on the Plat, and is in the interest of public health, safety, and welfare.


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

1. The entire 50-foot right-of-way for Moore Drive shown as "50' R/W" on that certain plat entitled "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" recorded in the Clerk's Office for the Circuit Court for the City of Williamsburg and the County of James City on May 29, 1973, in Plat Book 30, Page 60 is hereby VACATED.
2. The County Attorney is directed to record this Ordinance among the records in the Clerk's Office for the Circuit Court for the City of Williamsburg and the County of James City on or after April 11, 2024, with following entities or their successors in interest be listed as Grantees in the Real Estate records of the Clerk of the Circuit Court for the County of James City, Virginia:
  - a. Minos Henry Galanos, Trustee of the Louie Andreas Galanos Trust, dated July 26, 2010, James City County Real Estate Tax Map Parcel Nos. 3220600001 and 3220600003
  - b. Kim Suk Lee, James City County Real Estate Tax Map Parcel Nos. 3220600002, 3220600011, and 3220600012
  - c. Fred Douglas Moore, Sr., James City County Real Estate Tax Map Parcel No. 3220600004
  - d. Iluss M. Moore, James City County Real Estate Tax Map Parcel No. 3220600005
  - e. Martin Lewis Spikes, Jr., James City County Real Estate Tax Map Parcel No. 3220600005B
  - f. P.W. Development, Inc., a Virginia corporation, James City County Real Estate Tax Map Parcel No. 3220600006
  - g. Linda G. Christian, James City County Real Estate Tax Map Parcel No. 3220600007
  - h. Roy W. Thillberg, III, James City County Real Estate Tax Map Parcel No. 3220100104
  - i. Moore Family Cemetery, c/o Eddie Moore, James City County Real Estate Tax Map Parcel No. 3220600014

This Ordinance shall be in full force and effect from the date of its adoption.

  
 Ruth M. Larson  
 Chair, Board of Supervisors

ATTEST:

  
 Teresa J. Saced  
 Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of March, 2024.