

ADOPTED

MAR 11 2025

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

ORDINANCE NO. 243

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED "BOUNDARY LINE ADJUSTMENT OF THE PROPERTIES OF RONALD E. & MARGARET A. ROTHWELL BEING 2.320 +- ACRES & LOTS 13, 15, & 17, O.B. DRYDEN PROPERTY SUBDIVISION ALL LOCATED IN THE VILLAGE OF NORGE, STONEHOUSE MAGISTERIAL DISTRICT JAMES CITY COUNTY, VIRGINIA" PREPARED BY SPEARMAN & ASSOCIATES, P.C., SURVEYORS & PLANNERS, DATED JUNE 4, 2003 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY IN PLAT BOOK 90, PAGE 44; TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED "RESUBDIVISION OF LOTS 24 & 26, NORVALIA, SECTION 4 POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA" PREPARED BY B.D. LITTLEPAGE, CERTIFIED LAND SURVEYOR, DATED DECEMBER 14, 1970 AND RECORDED ON DECEMBER 23, 1970 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY IN PLAT BOOK 28, PAGE 16; AND TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED "NORVALIA SECTION 4 OWNER & SUDIVIDER, HERTZLER BROTHERS INC. POWHATAN MAGISTERIAL DISTRICT, JAMES CITY CO., VIRGINIA" PREPARED BY R.M. MACKINTOSH, CERTIFIED LAND SURVEYOR, DATED MARCH 14, 1967 AND RECORDED ON JULY 12, 1967 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY IN PLAT BOOK 24, PAGE 65.

WHEREAS, a 40-foot right-of-way parallel to Richmond Road shown as "LAUREL LANE 40' R/W" (the "Laurel Lane ROW") was dedicated by plat entitled "BOUNDARY LINE ADJUSTMENT OF THE PROPERTIES OF RONALD E. & MARGARET A. ROTHWELL BEING 2.320 +- ACRES & LOTS 13, 15, & 17, O.B. DRYDEN PROPERTY SUBDIVISION ALL LOCATED IN THE VILLAGE OF NORGE, STONEHOUSE MAGISTERIAL DISTRICT JAMES CITY COUNTY, VIRGINIA" recorded in the Clerk's Office for the Circuit Court of the County of James City on June 4, 2003 in Plat Book 90, Page 44 ("Plat 1"), with said ROW more particularly depicted as "LAUREL LANE" on the attached Exhibit titled "EXHIBIT OF PROPOSED VACATION OF RIGHT OF WAY LAUREL LANE (UNIMPROVED) JAMES CITY COUNTY VIRGINIA" prepared by Landtech Resources, Inc. and dated 11/07/2024 ("Exhibit A"); and

- WHEREAS, a 50-foot right-of-way between 132 and 134 Oslo Court (“Oslo ROW 1”) was dedicated by plat entitled “RESUBDIVISION OF LOTS 24 & 26, NORVALIA, SECTION 4 POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA” recorded in the Clerk’s Office for the Circuit Court of the County of James City on December 23, 1970 in Plat Book 28, Page 16 (“Plat 2”), with said ROW more particularly depicted as “50’ R/W HEREBY VACATED AND SPLIT BETWEEN LOT 26 AND LOT 27/LOT26A” on the attached Exhibit titled “EXHIBIT OF PROPOSED VACATION OF RIGHT OF WAY LOT 26 AND LOT 27/LOT26A SECTION 4, NORVALIA JAMES CITY COUNTY VIRGINIA” prepared by Landtech Resources, Inc. and dated 10/03/2024 (“Exhibit B”); and
- WHEREAS, a 50-foot right-of-way between 140 and 142 Oslo Court (“Oslo ROW 2,” together with the Laurel Lane ROW and the Oslo ROW 1, the “ROWS”) was dedicated by plat entitled “NORVALIA SECTION 4 OWNER & SUDIVIDER, HERTZLER BROTHERS INC. POWHATAN MAGISTERIAL DISTRICT, JAMES CITY CO., VIRGINIA” recorded in the Clerk’s Office for the Circuit Court of the County of James City on July 12, 1967 in Plat Book 24, Page 65 (“Plat 3,” together with Plat 1 and Plat 2, the “Plats”), with said ROW more particularly depicted as “5,089 S.F. 0.117 AC. 5,089 S.F. 0.117 AC.” on the attached Exhibit titled “EXHIBIT OF PROPOSED VACATION OF RIGHT OF WAY LOT 30 AND LOT 31 SECTION 4, NORVALIA JAMES CITY COUNTY VIRGINIA” prepared by Landtech Resources, Inc. and dated 10/03/2024 (“Exhibit C”); and
- WHEREAS, the ROWs were never brought into the Virginia Department of Transportation’s system of maintenance and were never improved; and
- WHEREAS, the County of James City (the “County”) has no surety to improve the ROWs and has no intention of improving the ROWs; 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 rights-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, pursuant to Section 15.2-2274 of the Virginia Code, upon recordation of the Ordinance of Vacation fee simple title of the ROWs is vested in the owners of abutting lots; and
- WHEREAS, notwithstanding the operation of Section 15.2-2274, the Board of Supervisors of James City County, Virginia (the “Board”), desired to ensure perpetual access over and across the Laurel Lane ROW by granting adjacent property owners a perpetual easement across the to-be-vacated Laurel Lane ROW; and
- WHEREAS, at its meeting on March 11, 2025, pursuant to Section 15.2-1800 and following a duly-advertised public hearing, the Board approved granting a perpetual ingress/egress easement for all adjacent property owners and their heirs, successors, assigns, and invitees to use a portion of the Laurel Lane ROW, 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 ROWs 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 Plats, 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 Board of Supervisors has considered the statements contained in the preceding "WHEREAS" clauses and hereby finds and adopts each as a part of its determination to vacate the right-of-way.
2. The right-of-way depicted as "LAUREL LANE 40' R/W" shown on the plat entitled "BOUNDARY LINE ADJUSTMENT OF THE PROPERTIES OF RONALD E. & MARGARET A. ROTHWELL BEING 2.320 +- ACRES & LOTS 13,15,&17, O.B. DRYDEN PROPERTY SUBDIVISION ALL LOCATED IN THE VILLAGE OF NORGE, STONEHOUSE MAGISTERIAL DISTRICT JAMES CITY COUNTY, VIRGINIA" recorded in the Clerk's Office for the Circuit Court of the County of James City on June 4, 2003 in Plat Book 90, Page 44 and more particularly depicted as "LAUREL LANE" on the attached Exhibit titled "EXHIBIT OF PROPOSED VACATION OF RIGHT OF WAY LAUREL LANE (UNIMPROVED) JAMES CITY COUNTY VIRGINIA" prepared by Landtech Resources, Inc. and dated 11/07/2024 is hereby VACATED.
3. That the County Attorney is directed to record this Ordinance among the records in the Clerk's Office for the Circuit Court of the County of James City, 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. ROBECA NORGE LLC, James City County Real Estate Tax Map No. 23202A0002 (7465 Richmond Road)
 - b. CLINTON T. MEADOWS, JR., LOIS N. MEADOWS, & MELINDA M. KISH, Trustees of the Meadows Living Trust, James City County Real Estate Tax Map No. 23202A0004 (7451 Richmond Road)
 - c. NORGE PROPERTIES LLC, James City County Real Estate Tax Map No. 23202A0005 (7445 Richmond Road)
 - d. OKAY MANAGER LLC, James City County Real Estate Tax Map No. 23202B0003 (7431 Richmond Road)
 - e. JME2 LLC, James City County Real Estate Tax Map No. 23202B0008 (204 Farmville Lane)
 - f. JME2 LLC, James City County Real Estate Tax Map No. 23202B0007 (200 Farmville Lane)
 - g. TERRANCE WALLACE & TIFFANY CRONK, James City County Real Estate Tax Map No. 2320300009A (300 Farmville Lane)
 - h. JOHN H GARDNER, JR. AND GRACE G GARDNER, James City County Real Estate Tax Map No. 2320300010 (102 Oslo Court)
 - i. RICHARD K WING & DOROTHY J WING, James City County Real Estate Tax Map No. 2320300011 (104 Oslo Court)
 - j. KAREN E STETAR PETRAUSKIS, James City County Real Estate Tax Map No. 2320300012 (106 Oslo Court)
 - k. MICHAEL E EYLER & BETTY J EYLER, James City County Real Estate Tax Map No. 2320300013 (108 Oslo Court)

- l. MICHAEL A HALL & SUSAN V HALL, James City County Real Estate Tax Map No. 2320300014 (110 Oslo Court)
- m. ANTHONY MAYER, JR. & WANDA L MAYER, James City County Real Estate Tax Map No. 2320300015 (112 Oslo Court)
- n. ALAN W MILLER & BARBARA S MILLER, James City County Real Estate Tax Map No. 2320300016 (114 Oslo Court)

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

1. The Board of Supervisors has considered the statements contained in the preceding "WHEREAS" clauses and hereby finds and adopts each as a part of its determination to vacate the right-of-way.
2. The right-of-way depicted on the plat entitled "RESUBDIVISION OF LOTS 24 & 26, NORVALIA, SECTION 4 POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA" recorded in the Clerk's Office for the Circuit Court of the County of James City on December 23, 1970 in Plat Book 28, Page 26 and specifically shown as "50' R/W HEREBY VACATED AND SPLIT BETWEEN LOT 26 AND LOT 27/LOT26A" on the attached Exhibit A titled "EXHIBIT OF PROPOSED VACATION OF RIGHT OF WAY LOT 26 AND LOT 27/LOT26A SECTION 4, NORVALIA JAMES CITY COUNTY VIRGINIA" prepared by Landtech Resources, Inc. and dated 10/03/2024 is hereby VACATED.
3. That the County Attorney is directed to record this Ordinance among the records in the Clerk's Office for the Circuit Court of the County of James City, with the following entities or their successors in interest listed as Grantees in the real estate records of the Clerk of the Circuit Court for the County of James City, Virginia:
 - a. JARED ABRAM PUTERBAUGH, James City County Real Estate Tax Map No. 2320300026 (132 Oslo Court)
 - b. CAROL L KENDALL, James City County Real Estate Tax Map No. 2320300026A (134 Oslo Court)

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

1. The Board of Supervisors has considered the statements contained in the preceding "WHEREAS" clauses and hereby finds and adopts each as a part of its determination to vacate the right-of-way.
2. The right-of-way shown on the plat entitled "NORVALIA SECTION 4 OWNER & SUDIVIDER, HERTZLER BROTHERS INC. POWHATAN MAGISTERIAL DISTRICT, JAMES CITY CO., VIRGINIA" recorded in the Clerk's Office for the Circuit Court of the County of James City on July 12, 1967 in Plat Book 24, Page 65 and specifically shown as "5,089 S.F. 0.117 AC. 5,089 S.F. 0.117 AC." on the attached Exhibit A titled "EXHIBIT OF PROPOSED VACATION OF RIGHT OF WAY LOT 30 AND LOT 31 SECTION 4, NORVALIA JAMES CITY COUNTY VIRGINIA" prepared by Landtech Resources, Inc. and dated 10/03/2024 is hereby VACATED.


3. That the County Attorney is directed to record this Ordinance among the records in the Clerk's Office for the Circuit Court of the County of James City, with the following entities or their successors in interest listed as Grantees in the real estate records of the Clerk of the Circuit Court for the County of James City, Virginia:
- a. WESLEY D PARKER & LESLIE S VASQUEZ, James City County Real Estate Tax Map No. 2320300030 (140 Oslo Court)
 - b. STEVEN E DANIELS, SR. & CYNTHIA A DANIELS, James City County Real Estate Tax Map No. 2320300031 (142 Oslo Court)

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



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

ATTEST:



Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
—	—	—	✓
✓	—	—	—
✓	—	—	—
✓	—	—	—
✓	—	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2025.

VacOsloCt-LaurlLn-ord