

**RESOLUTION**

**UNDERGROUND UTILITIES AGREEMENT - NEW TOWN**


WHEREAS, the New Town Design Guidelines dated September 3, 1997, provide for the burying of utilities in New Town; and

WHEREAS, with the improvements to the intersection of Ironbound Road and Monticello Avenue and the expansion of Ironbound Road to four lanes, the existing overhead utilities will need to be relocated; and

WHEREAS, in the event the County decides to place the utilities underground, then the County will participate in the funding of relocating the utilities underground along the Ironbound Road right-of-way adjacent to Section 2 of New Town, and New Town Associates, L.L.C. will pay the additional costs of relocating the utilities underground along the Ironbound Road right-of-way adjacent to Section 3 of New Town; and

WHEREAS, the County is willing to coordinate the relocating of the utilities underground along both Section 2 and 3 of New Town and New Town Associates, L.L.C., is willing to reimburse the County for the actual costs of relocating the utilities adjacent to Section 3 of New Town.

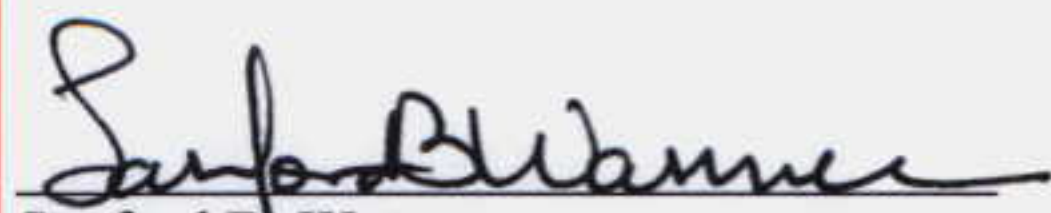
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute the Underground Utilities Agreement with New Town Associates, L.L.C., which allocates the responsibility for relocating utilities underground along Ironbound Road adjacent to New Town Sections 2 and 3.



Bruce C. Goodson  
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCLENNON	AYE
GOODSON	AYE

ATTEST:



Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 2004.