

**RESOLUTION**

**RESOLUTION TO SETTLE LITIGATION**

WHEREAS, James City County (“County”) and Wellington, LLC (the “Owner”), the owner of certain property described in Case No. Z-12-99 (the “Property”), have been at issue over the validity of certain proffers affecting the Property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that, having accepted the settlement proposal of Owner at its meeting, March 14, 2000, the Board, in the implementation of said settlement, acknowledges the following:

1. The Wellington Subdivision Declaration of Covenants, Conditions and Restrictions dated February 28, 2000, were recorded in the Circuit Court Clerk’s Office for the City of Williamsburg and County of James City (the “Clerk’s Office”) on March 21, 2000.
2. A deed and Deed of Release conveying 15 acres from the Owner to the County was recorded in the Clerk’s Office on March 21, 2000.
3. The County and the Owner have executed consent orders dismissing, with prejudice, Chancery Case Nos. 13055 and 13057.
4. The validity of the R-1, Limited Residential zoning of the Property, as enacted by Z-20-86 is hereby affirmed.
5. That the above actions having been accomplished, any and all obligations relating to the proffers associated with Case No. Z-20-86 have been fully met and satisfied.

BE IT FURTHER RESOLVED that Case Nos. Z-12-99 and Z-13-99 are hereby struck from the Board of Supervisors’ docket.

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Ronald A. Nervitt  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of March, 2000.