

## RESOLUTION

### ABANDONMENT OF RIGHT-OF-WAY FOR OLD ENTRANCE TO LONGHILL GATE

WHEREAS, on October 27, 1998, the County entered into an Agreement with The Longhill Gate Investment Company, L.L.C. to relocate the entrance to Longhill Gate so that it would be aligned with the new entrance to the District Park Sports Complex, Warhill Trail; and

WHEREAS, in exchange for new right-of-way for the realigned entrance to Longhill Gate, the County agreed to abandon, vacate, or otherwise convey the old right-of-way to Longhill Gate; and

WHEREAS, Longhill Gate Investment Company, L.L.C. conveyed the new right-of-way to the County and the new entrance to Longhill Gate has been constructed and been aligned with Warhill Trail, the entrance to the District Park Sports Complex; and

WHEREAS, the County posted notice of abandonment in three places along the old right-of-way for the entrance to Longhill Gate more than 30 days prior to the December 10, 2002, public hearing, posted notice of abandonment at the front door of the courthouse three days prior to the first day of the regular term of the Circuit Court, advertised for a public hearing to consider abandonment in two issues of the Virginia Gazette, a newspaper having general circulation in the County, and on November 20, 2002, the County sent notice to the Commonwealth Transportation Board of its intention to consider abandonment of the right-of-way for the old Longhill Gate entrance; and

WHEREAS, the Board of Supervisors following a public hearing is of the opinion that it is in the public interest to abandon the right-of-way for the old Longhill Gate entrance as shown on the plat entitled "PLAT OF RIGHT-OF-WAY ABANDONMENT & VACATION" dated September 6, 2002, by Mitchell-Wilson Associates, P.C.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby finds that:

1. The right-of-way for the old Longhill Gate right-of-way is located in a residence district as defined by Virginia Code Section 46.2-100; and
2. Continued operation of a public road on the right-of-way for the old entrance to Longhill Gate would constitute a threat to public safety and welfare; and
3. An alternative route for public use is readily available after the right-of-way for the old entrance to Longhill Gate is abandoned; and
4. The right-of-way for the old entrance to Longhill Gate does not have historic value; and

5. The new realigned entrance to Longhill Gate serves the same citizens as the right-of-way for the old entrance to Longhill Gate; and
6. The right-of-way for the old entrance to Longhill Gate is being abandoned only to the extent that it no longer serves a public need due to new alterations to the Longhill Gate entrance.

BE IT FURTHER ORDERED AND RESOLVED that the Board of Supervisors of James City County, Virginia, hereby declares the right-of-way for the old entrance to Longhill Gate is abandoned.

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James G. Kennedy  
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 10th day of December, 2002.

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