

RESOLUTION

ACQUISITION OF 96.658± ACRES FOR LANDFILL BUFFER

WHEREAS, the County is interested in acquiring 96.658± acres of land designated as a portion of Parcel No. (1-2) on James City County Real Estate Tax Map No. (30-3), (the "Property"), owned by Gray Associates, a Virginia general partnership, and VMI Foundation, Incorporated, a Virginia nonprofit corporation ("Owners"); and

WHEREAS, the County and the Owners have agreed to a purchase price of \$2,500 per acre; and

WHEREAS, the Owners are willing to convey an easement to the County and enter into a contract to sell the Property to the County in exchange for the County escrowing the purchase price so that the Owners would receive the escrowed funds plus interest if the density and open space credits are not used by the Owners prior to March 1, 2021, otherwise the County would receive the escrowed funds plus interest; and

WHEREAS, the Property would serve to buffer the County Landfill which was closed in 1993.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to execute the Agreement in Lieu of Condemnation with the Owners of the Property, to establish an escrow account in the amount of \$241,645 and to execute such other documents as may be necessary to effectuate the Agreement

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 16th day of December, 2003.

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