

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

O-11-11

At the regular meeting of the Board of Supervisors of the County of New Kent in the Boardroom of the Administration Building in New Kent, Virginia, on the 8th day of August, 2011:

Present:	Vote:
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye
Thomas W. Evelyn	Aye

Motion was made by Mr. Davis, which carried 5:0, to adopt the following ordinance:

AN ORDINANCE OF VACATION

WHEREAS, on July 18, 2005, 52.643 acres was conveyed to New Kent Farms LLC by Marjorie Goodall and recorded in the Clerk's Office of the Circuit Court of New Kent County in Deed Book 442, Page 179; and

WHEREAS, an approved plat entitled "Farms of New Kent – Land Bay I, Phase 1" dated February 28, 2008, by New Kent Farms LLC was recorded in Plat Book 20, Page 18, in the Clerk's Office of the Circuit Court of New Kent County, Virginia; and

WHEREAS, many lots shown on the approved plat were sold during the years 2008 – 2011 as platted lots shown on the above listed Plat as recorded by New Kent Farms LLC; and

WHEREAS, an approved subsequent plat entitled “Consolidation Plat” dated April 5, 2011 by New Kent Farms, LLC, was recorded in Plat Book 20, Page 456 of the Clerk’s Office of the Circuit Court of New Kent County, Virginia; and

WHEREAS, it is the desire of the County of New Kent, acting by and through its Board of Supervisors, to vacate that portion of the aforementioned consolidation plat showing said consolidation by enacting this Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Section 15.2-2272 and Sec. 91-33 of the New Kent County Code; and

WHEREAS, it is the desire of New Kent Farms LLC, to vacate that portion of the aforementioned consolidation plat showing said consolidation by requesting that the New Kent County Board of Supervisors enact this Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Section 15.2-2272 and Sec. 91-33 of the New Kent County Code; and

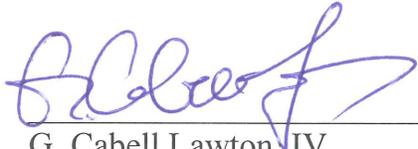
WHEREAS, the effect of such vacation shall be to return the lots listed in the Consolidation Plat into lots as platted in the approved plat entitled “Farms of New Kent – Land Bay I, Phase 1” dated February 28, 2008, by New Kent Farms LLC and recorded in Plat Book 20, Page 18, in the Clerk’s Office of the Circuit Court of New Kent County, Virginia;

NOW, THEREFORE, BE IT ORDAINED that, in accordance with the provisions of the Virginia Code Ann. Section 15.2-2272 and Section 91-33 of the New Kent County Code, the plat entitled “Consolidation Plat” dated April 5, 2011 by New Kent Farms, LLC, and recorded in Plat Book 20, Page 456 in the Clerk’s Office of the Circuit Court of New Kent County, Virginia, be vacated and returned to the platted lots as recorded by New Kent Farms LLC entitled “Farms of New Kent – Land Bay I, Phase 1” dated February 28, 2008, which was recorded in Plat Book 20, Page 18, in the Clerk’s Office of the Circuit Court of New Kent County, Virginia;

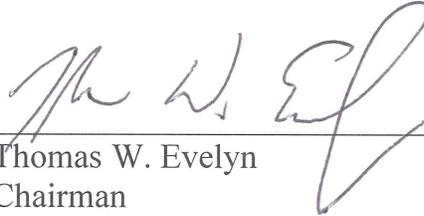
BE IT FURTHER ORDAINED that a certified copy of this Ordinance of Vacation shall be recorded after the expiration of thirty (30) days from the date hereof, unless appealed to the Circuit Court for the County of New Kent, Virginia, and thereafter if this Ordinance of Vacation is affirmed by said Court, in the Clerk’s Office of the Circuit Court of New Kent County, Virginia; and

BE IT FURTHER ORDAINED that, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274 and Sec. 91-33 of the New Kent County Code, the recordation of this Ordinance of Vacation as required in the preceding paragraph shall operate to destroy the force and effect of the consolidation plat so

described above and so vacated and vest fee simple title free and clear of any rights of the public or other owners of lots shown on the aforesaid plat, but subject to the rights of the owners of any public utility installations which have been previously erected therein.



G. Cabell Lawton, IV
County Administrator



Thomas W. Evelyn
Chairman

STATE OF VIRGINIA
County of New Kent, to-wit

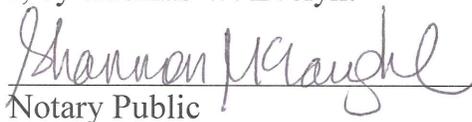
Subscribed to before me, the undersigned Notary Public, in New Kent County, Virginia, on the 9th day of August, 2011, by G. Cabell Lawton, IV.



Notary Public
Commission Number 156872
My commission expires 5/31/12

STATE OF VIRGINIA
County of New Kent, to-wit

Subscribed to before me, the undersigned Notary Public, in New Kent County, Virginia, on the 10th day of August, 2011, by Thomas W. Evelyn.



Notary Public
Commission Number ~~156872~~ 7190397
My commission expires ~~5/31/12~~ 7-31-12