

VIRGINIA: IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

IN RE: JOINT PETITION OF COUNTY OF ROCKINGHAM, VIRGINIA AND
CITY OF HARRISONBURG, VIRGINIA FOR APPROVAL OF
RELOCATION OF BOUNDARY LINE BY AGREEMENT

At Law No. _____

TO THE HONORABLE JUDGES OF THIS COURT:

COME NOW the Petitioners, the County of Rockingham, a political subdivision of the Commonwealth of Virginia (the County), and the City of Harrisonburg, Virginia, a Virginia municipal corporation (the City), by counsel, pursuant to Virginia Code §15.2-3108, who state as follows:

1. There is an existing business fronting on Carpenter Lane in the City and located on tax parcels partly in the City and partly in the County. The parcels are City tax parcels 107-C-7 and 107-C-7A, and County tax parcel 123-(A)-L98B1.

2. Structures on the City tax parcels require work that cannot be performed under the City Zoning Ordinance because the use is a pre-existing, non-conforming use. The necessary work can be performed under the County Zoning Ordinance.

3. The City owns four tax parcels in the County that are used for park and recreation purposes. They are County tax parcels 110-(A)-L50A1, 110-(A)-L50A2, 110-(4)-L2A, and 110-(4)-L2B.

4. The City and the County intend to adjust the boundary line between the two jurisdictions so that County tax parcels 110-(A)-L50A1, 110-(A)-L50A2, 110-(4)-L2A, and 110-(4)-L2B are in the City, and City tax parcels 107-C-7 and 107-C-7A are in the County.

5. Exhibit A, attached and include herein, is the Boundary Line Adjustment Agreement, dated as of the __ day of June, 2021, (the Agreement), which Agreement

includes a plat or plats of the affected real estate. The calls of the metes and bounds description are included on the Plats.

6. Pursuant to the requirements of Virginia Code section 15.2-3107, on _____ and _____, 2021, the County advertised in the Daily News Record, a newspaper having general circulation within the County and the City, its intention to hold a public hearing on the approve the Boundary Line Agreement. A copy of the Certificate of Publication of the County's Public Notice is attached and included herein as Exhibit B. The County's Public Notice gave a narrative description of the land to be included in the boundary line adjustment and stated that a copy of the Agreement was available in office of the County Administrator.

7. Following the public hearing, the Board of Supervisors of Rockingham County approved the Agreement at its regular meeting on _____, 2021. An extract of the minutes from that meeting are attached and included as Exhibit.

8. Pursuant to the requirements of Virginia Code section 15.2-3107, on _____ and _____, 2021, the City advertised in the Daily News Record its intention to approve the agreement. A copy of the Certificate of Publication of the City's Public Notice is attached and included herein as Exhibit. The City's Public Notice gave a narrative description of the land to be included in the boundary line adjustment and stated that a copy of the agreement was available in office of the City Manager.

9. Following the public hearing, the City Council of Harrisonburg approved the agreement at its regular meeting on July _____, 2021. An extract of the minutes from that meeting are attached and included as Exhibit.

WHEREFORE, the County and the City jointly petition this Court for entry of an Order establishing the new boundary as requested, and for other proper relief.

Upon entry of the Order requested, the boundary line between the City of Harrisonburg and Rockingham County will be modified as shown on the Plats. An original of the plats will be included with the Proposed Order.

Respectfully submitted,

COUNTY OF ROCKINGHAM, VIRGINIA

CITY OF HARRISONBURG, VIRGINIA

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