

March 11th, 2025
Town Council
Public Hearing
Ordinance 2025-

**AN ORDINANCE REPEALING ORDINANCE 2024-17 WHICH AUTHORIZED THE EXECUTION
OF A VOLUNTARY SETTLEMENT AGREEMENT BETWEEN THE TOWN OF WARRENTON AND
FAUQUIER COUNTY.**

WHEREAS, at December 10th, 2025, Regular Town Council meeting of the Town Council of Warrenton, Virginia, a public hearing was held on Ordinance 2024-17 to approve the Voluntary Settlement Agreement between the Town of Warrenton and Fauquier County for the boundary adjustment of Alwington Farm into Town Boundaries; and

WHEREAS, Ordinance 2024-17 titled, *AN ORDINANCE TO APPROVE A VOLUNTARY SETTLEMENT AGREEMENT FOR THE BOUNDARY ADJUSTMENT INTO THE TOWN OF WARRENTON OF APPROXIMATELY 243.87295 ACRES OF LAND BELONGING TO ALWINGTON FARM, LLC, ALWINGTON ESTATES, LLC, HD DEVELOPMENT OF MARYLAND, INC., PADMAJA AND SRINIVAS DASARI, THE FAUQUIER COUNTY SCHOOL BOARD, AND VABFT, LLC, AND CERTAIN ROAD RIGHT-OF-WAY, AS RECOMMENDED BY THE VIRGINIA COMMISSION ON LOCAL GOVERNMENT* was a required ordinance under Va. Code §15.2-3400 in the process for the Voluntary Settlement Agreement ;and

WHEREAS, Ordinance 2024-17 was approved by a 6-1 Vote of the Town Council thereby approving the settlement agreement pursuant to Va. Code §15.2-3400; and

WHEREAS, a Special Meeting, without public input, was held on February 25th, 2025, to discuss the Arrington Development and the Voluntary Settlement Agreement ("the VSA") with a motion being passed to hold a new public hearing at the March 11th, 2025, Regular Town Council Meeting; and

WHEREAS, a public hearing has been legally noticed and advertised for the March 11th, 2025, Regular Town Council meeting; and

WHEREAS, the Town of Warrenton, Virginia, (the "Town"), and the County of Fauquier, Virginia, ("the County") filed a Notice with the Virginia Commission on Local Government of their intention to effect a Boundary Line Adjustment ("BLA") by and between the Town and the County to incorporate into the Town approximately 243.87295 acres of land presently subject only to County jurisdiction (the Adjusted Property") belonging to Alwington Farm, LLC, Alwington Estates, LLC, HD Development of Maryland, Inc., Padmaja and Srinivas Dasari, the Fauquier County School Board, and VABFT, LLC, together with such road right-of-way as may lie within the proposed BLA area; and

WHEREAS, the Town and the County have mutually agreed upon terms and conditions for a boundary adjustment in the VSA pursuant to Va. Code Ann. §15.2-3400, as an alternative to a fully contested litigation to adjust jurisdictional boundaries, and submitted that VSA to the Virginia Commission on Local Government (the Commission) for review and recommendation; and

WHEREAS, the Commission has reviewed the VSA and has recommended its approval of the said BLA and Agreement in its report dated November 2024, a copy of which is incorporated herein by reference as Exhibit A; and

WHEREAS, a civil action for approval of the VSA has been filed with the Circuit Court of Fauquier County, pursuant to Va. Code Ann. § 15.2-3400, and a three-judge panel has been appointed to hear that Petition which is scheduled for adjudication on April 24, 2025;

WHEREAS, the Town no longer desires to present the VSA, as drafted, to the Circuit Court for approval and further action thereon;

NOW THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Warrenton, Virginia, as follows:

1. The aforesaid Whereas clauses are incorporated herein by reference.
2. The Town Council hereby does not consent to the acceptance of the Adjusted Property into the Town's corporate limits consistently with the VSA upon the terms stated in the VSA..
3. The Town Council hereby does not agree to the terms and conditions as set forth in the VSA, a copy of which is separately attached hereto and incorporated herein by reference as Exhibit A, and authorizes the execution thereof by the Mayor or his designee.
4. The Town Council hereby directs the Mayor, Town Manager, and Town Attorney, together with the Fauquier County Attorney, to convene and provide this information to the Circuit Court, i.e. the three-judge panel, and, if feasible, take what steps as may be necessary so as to (i) modify the VSA so as to be mutually acceptable to all interested parties per Section 15.2-3400 and (ii) present said modified VSA to the Circuit Court for approval. If modification is not feasible, then the Town Attorney is instructed to oppose further action of any judicial nature recognizing the VSA.

Votes:

Ayes:

Nays:

Absent from Meeting:

For Information:

Town Attorney

ATTEST: _____

Town Recorder