BOUNDARY ADJUSTMENT AGREEMENT BETWEEN
THE COUNTY OF MONTGOMERY AND THE TOWN OF CHRISTIANSBURG

THIS AGREEMENT is made and entered into this ____ day of September 2015, by and between the County of Montgomery, Virginia ("the County") a County of the Commonwealth of Virginia and the Town of Christiansburg, Virginia ("the Town") a municipal corporation of the Commonwealth of Virginia, (collectively referred to as "Owner").

W I T N E S S E T H:

WHEREAS, the County and Town hereunto have entered into negotiations regarding a voluntary change of the boundary line between the Town and the unincorporated portion of the County for the purpose of removing from the Town approximately 12.117 acres located on the Northeast boundary of the Town and the unincorporated area of the County adjacent to Cinnabar Road and the U.S. Route 460 By-Pass as shown on the attached Plat entitled "Boundary Adjustment Survey for Montgomery County, Situated in Town of Christiansburg, Virginia", dated 19 AUG 2015 ("the Boundary Adjustment Plat"); and

WHEREAS, the removal of the 12.117 acres from the Town into the unincorporated area of County will not adversely affect the ability of the County and/or the Town to meet the needs of its residents; and

WHEREAS, there are no citizens residing or conducting business within the area proposed to be removed from the Town in to the unincorporated area of the County's; and

WHEREAS, the County intends to construct a new animal shelter on a portion of the area subject to this proposed boundary adjustment that is located adjacent to County owned property located outside the Town in the unincorporated area of the County.

WHEREAS, by removing 12.117 acres from the incorporated boundary of the Town enables the County to comply with one set of regulatory processes when constructing the new

animal shelter because the shelter will not be partially located in the Town and in the unincorporated area of the County and it clarifies the Town/County boundary for emergency services in the area along the U.S. Route 460 By-Pass.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties agree as follows:

1. The County and Town agree that a new boundary line shall be established between the County and the Town by removing approximately 12.117 acres from the Town incorporated boundary to the unincorporated area of the County. The area to be removed from the Town incorporated boundary into the unincorporated area of the County is shown more particularly upon a plat entitled "Boundary Adjustment Survey For Montgomery County Situated in the Town of Christiansburg, Virginia", dated 19 AUG 2015, prepared by Charles H. Forbes, IV, L.S., for Thompson & Litton, a copy of which plat is attached hereto as Exhibit A and made a part of this Boundary Adjustment Agreement.

2. The County agrees to be responsible for the County's and the Town's expenses for the notices of the public hearings required to be held by the Town Council and by the County Board of Supervisors for the consideration of this Agreement.

3. The County and Town agree that the 12.117 acres shall remain in the Christiansburg water and sewer services area.

4. Pursuant to Section 15.2-3108 of the 1950 Code of Virginia, as amended, the Town and the County shall promptly petition the Circuit Court of Montgomery County to have this common boundary line changed as agreed herein.

5. The County and Town agree to perform any and all requirements of Section 15.2-3107 of the 1950 Code of Virginia, as amended, which may be necessary to accomplish the agreed upon boundary change.

6. The new Town incorporation boundary line shall become effective once a final order has been entered by the Circuit Court of Montgomery County or other Court on final appeal.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date written above.

County of Montgomery, Virginia

By: _____
William H. Brown, Chair

Town of Christiansburg, Virginia

By: _____
D. Michael Barber, Mayor

COMMONWEALTH OF VIRGINIA
COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by William H. Brown, Chair of the Board of Supervisors of Montgomery County, Virginia.

_____
Notary Public

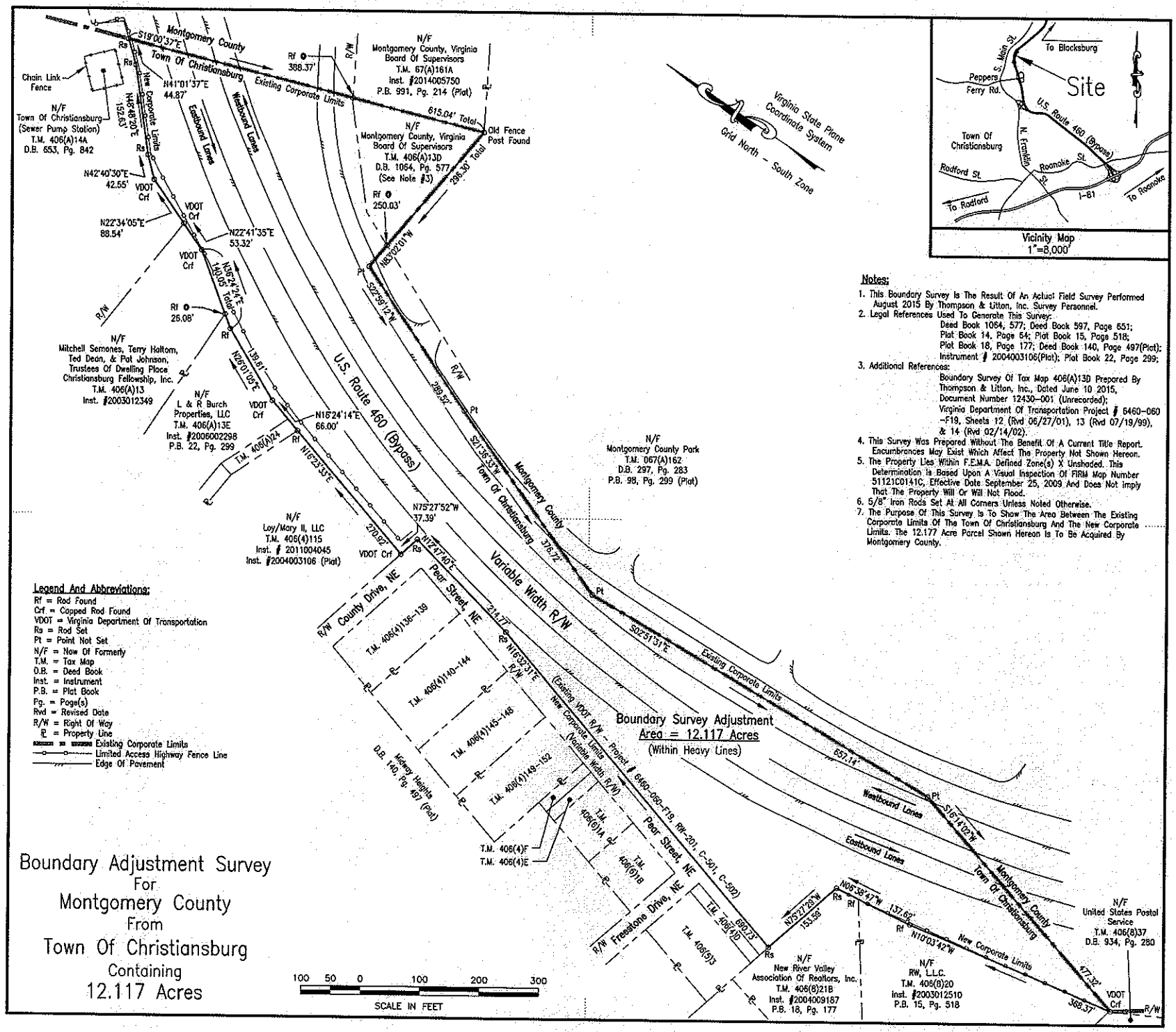
My commission expires: _____
Registration Number: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by D. Michael Barber, Mayor of the Town of Christiansburg, Virginia.

_____
Notary Public

My commission expires: _____
Registration Number: _____



Vicinity Map
1"=8,000'

Notes:

1. This Boundary Survey Is The Result Of An Actual Field Survey Performed August 2015 By Thompson & Litton, Inc. Survey Personnel.
2. Legal References Used To Generate This Survey:
   Deed Book 1064, 577; Deed Book 597, Page 651; Plat Book 14, Page 54; Plat Book 15, Page 518; Plat Book 18, Page 177; Deed Book 140, Page 497(Plat); Instrument # 2004003106(Plat); Plat Book 22, Page 299;
3. Additional References:
   Boundary Survey Of Tax Map 406(A)13D Prepared By Thompson & Litton, Inc., Dated June 10 2015, Document Number 12430-001 (Unrecorded); Virginia Department Of Transportation Project # 6460-060-F19, Sheets 12 (Rvd 06/27/01), 13 (Rvd 07/19/99), & 14 (Rvd 02/14/02).
4. This Survey Was Prepared Without The Benefit Of A Current Title Report. Encumbrances May Exist Which Affect The Property Not Shown Hereon.
5. The Property Lies Within F.E.M.A. Defined Zone(s) X Unshaded. This Determination Is Based Upon A Visual Inspection Of FIRM Map Number 51121C0141C, Effective Date September 25, 2009 And Does Not Imply That The Property Will Or Will Not Flood.
6. 5/8" Iron Rods Set At All Corners Unless Noted Otherwise.
7. The Purpose Of This Survey Is To Show The Area Between The Existing Corporate Limits Of The Town Of Christiansburg And The New Corporate Limits. The 12.177 Acre Parcel Shown Hereon Is To Be Acquired By Montgomery County.

Boundary Adjustment Survey
For
Montgomery County
From
Town Of Christiansburg
Containing
12.117 Acres

COMMONWEALTH OF VIRGINIA
CHARLES H FORBES IV
Lic. No. 2853
8/19/15
LAND SURVEYOR

THOMPSON & LITTON
726 Auburn Avenue
Radford, Virginia 24141
www.T-L.com

Boundary Adjustment Survey For Montgomery County Situated In Town Of Christiansburg, Virginia

Drawn:	JLN/DEH
Checked:	CHF
Date:	19 AUG 2015
Project No:	12430-90

Document No:
12430-002

Sheet No.
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