

**OUTGOING  
CORRESPONDENCE**

# SOUTHAMPTON COUNTY

26022 Administration Ctr. Dr.  
P.O. Box 400  
Courtland, Virginia 23837



757-653-3015  
Fax: 757-653-0227

May 10, 2010

William and Patricia Johnson  
28453 Darden Point Road  
Courtland, VA 23837

Dear Mr. and Mrs. Johnson:

Enclosed herewith, please find a copy of the final judicial order associated with Case No. CL09-132, *Cheverly Ltd., LLC v. Robert L. Barnett*.

Later this week, Mr. Barnett will be corresponding with the appellant, notifying them of any additional exhibits required by local ordinance that are necessary for the Planning Commission to consider preliminary plat approval.

I will be pleased to notify you once the matter is placed on the Planning Commission agenda for action. For advance planning purposes, please note that the Planning Commission regularly meets on the second Thursday of each month – depending upon the response of the appellant to Mr. Barnett's letter, this matter may appear on the agenda as early as June 10, 2010.

With kind regards, I remain

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Johnson", written over a horizontal line.

Michael W. Johnson  
County Administrator

RECEIVED MAY - 6 2010

**RAILEY AND RAILEY, P.C.**  
ATTORNEYS AND COUNSELLORS AT LAW

RICHARD E. RAILEY, JR.  
R. EDWARD RAILEY, III  
RICHARD E. RAILEY 1922-2004

Reply to: 22237 Main Street  
P.O. Box 40  
Courtland, VA 23837  
(757) 653-2351  
Fax: (757) 653-0930  
10451 General Mahone Highway  
P.O. Box 98  
Wakefield, VA 23888  
(757) 899-2145  
Fax: (757) 899-2146  
E-mail: [edward@raileyandrailey.com](mailto:edward@raileyandrailey.com)

May 5, 2010

Mr. Michael W. Johnson, Administrator  
Southampton County  
Post Office Box 400  
Courtland, VA 23837

Re: Cheverly Ltd., LLC, a Virginia limited liability company, appellant, v.  
Robert Barnett, Director, Community Development, Southampton County,  
Virginia, appellee; Circuit Court of Southampton County, CL09-132

Dear Mike:

Please find enclosed herewith a certified copy of the Order in the above styled case reflecting that the Order was entered on April 29, 2010. I will not note an appeal or otherwise take steps to disturb this order unless I hear differently from you.

With kind personal regards, I am

Very sincerely,



Richard E. Railey, Jr.

abr

Enclosure

RECEIVED MAY - 6 2010

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY

CHEVERLY LTD., LLC,  
A VIRGINIA LIMITED LIABILITY COMPANY,

Appellant,

V.

CASE NO.: CL09-132

ROBERT L. BARNETT,  
DIRECTOR COMMUNITY DEVELOPMENT,  
SOUTHAMPTON COUNTY, VIRGINIA,

Appellee.

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

THIS DAY CAME the Appellant, by and through counsel, and came as well the Appellee, by and through counsel, upon the Appellant's Motion for Summary Judgment, and was argued by counsel.

UPON CONSIDERATION WHEREOF, the Court finds there is no issue of material fact genuinely in dispute; that the Appellee's disapproval of the Appellant's plat is contrary to the applicable and controlling guidelines and requirements of the Virginia Department of Transportation and is without sufficient evidence to support it; that a reasonable mind would necessarily come to a different conclusion than that of the Appellee, and that the Appellant, Cheverly Ltd, LLC, is entitled to judgment as a matter of law.

It is hereby ORDERED, ADJUDGED AND DECREED that the Appellant, Cheverly Ltd., LLC's Motion for Summary Judgment is hereby granted, and that the Appellee, is directed to approve the Appellant's subdivision plat.

*This is a final order and the Clerk shall remove this case from the docket.*

*April 29, 2010*

Enter: \_\_\_\_\_  
Judge

I certify that the document to which this authentication is affixed is a true copy of a record in Southampton Circuit Court. That I have custody of the record and that I am custodian of that record

Richard Francis, Clerk  
*Kayla B. Powell*  
Southampton Circuit Court

CL 09-132

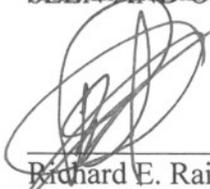
I ASK FOR THIS:



William H. Riddick, III, Counsel for Appellant,  
Cheverly Ltd., LLC.

RECEIVED MAY - 6 2010

~~SEEN AND OBJECTED TO~~ SEEN, OBJECTED AND EXCEPTED TO:



Richard E. Railey, Jr., Counsel for Appellee  
Roboert L. Barnett,  
Director of Community Development,  
Southampton County, Virginia,

# SOUTHAMPTON COUNTY



26022 Administration Center Drive  
P. O. Box 400  
Courtland, Virginia 23837

757-653-3015  
1-800-229-3160  
Fax: 757-653-0227

May 3, 2010

Occupant  
26497 Rose Valley Road  
Franklin, VA 23851

Dear Sir or Madam:

I regret to inform you that your tenancy at 26497 Rose Valley Road, Franklin, Virginia is hereby terminated effective June 15, 2010 and you are respectfully requested to remove all personal effects and vacate the premises by that time.

We are preparing to proceed this summer with construction of the Industrial Park and this residence will be razed as part of the project.

Out of an abundance of caution, in addition to this mailing, I have requested the Southampton County Sheriff's Office to personally serve this notice to you, not to intimidate you, but to ensure that you receive it in a timely fashion.

Thanking you in advance for your cooperation, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Johnson".

Michael W. Johnson  
County Administrator

# SOUTHAMPTON COUNTY



26022 Administration Ctr. Dr.  
P.O. Box 400  
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April 30, 2010

Benjamin S. Fitzgerald  
26105 Guy Place Road  
Courtland, VA 23837

**RE: Youth Activity Funding Application, County Soccer League**

Dear Mr. Fitzgerald:

I am pleased to announce that the Board of Supervisors considered your application for youth activity funding at their regular meeting of April 26, 2010 and adopted a motion to appropriate funding in the amount of \$1,000.00 to be utilized by your organization as described in your application. This contribution from Southampton County is scheduled to be disbursed on May 28, 2010, contingent upon your organization securing not-for-profit 501(c)3 status. If this status is not reached by that date, the county will hold these funds until such time your organization receives official notification from the Internal Revenue Service. A report from your organization detailing the use of these funds must be sent to the county within twelve (12) months from receipt of the contribution.

With those details aside, we are very appreciative of the opportunities your organization provides for our youngest residents. We wish you the greatest success as you move forward in your endeavors. If you have any questions or need additional information, please feel free to contact me at 757-653-3015. I remain,

Sincerely yours,

Michael W. Johnson  
County Administrator

Cc: Finance Department

# SOUTHAMPTON COUNTY



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Courtland, Virginia 23837

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April 30, 2010

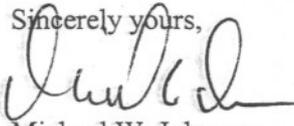
Chet Poland  
18232 Oak Road  
Boykins, VA 23827

**RE: Youth Activity Funding Application  
Courtland Baseball/Softball**

Dear Mr. Poland:

I am pleased to announce that the Board of Supervisors considered your application for youth activity funding at their regular meeting of April 26, 2010 and adopted a motion to appropriate funding in the amount of \$1,000.00 to be utilized by your organization for insurance and league fees. This contribution from Southampton County will be disbursed on May 28, 2010. A report from your organization detailing the use of these funds must be sent to the county within (12) months from receipt of the contribution.

With those details aside, we are very appreciative of the opportunities your organization provides for our youngest residents. We wish you the greatest success as you move forward in your endeavors. If you have any questions or need additional information, please feel free to contact me at 757-653-3015. I remain,

Sincerely yours,  
  
Michael W. Johnson  
County Administrator

Cc: Finance Department

# SOUTHAMPTON COUNTY



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April 30, 2010

Brian Rountree  
29140 Cypress Bridge Road  
Newsoms, VA 23874

**RE: Youth Activity Funding Application  
Newsoms Athletic Association**

Dear Mr. Rountree:

I am pleased to announce that the Board of Supervisors considered your application for youth activity funding at their regular meeting of April 26, 2010 and adopted a motion to appropriate funding in the amount of \$1,000.00 to be utilized by your organization for physical improvements to athletic facilities. This contribution from Southampton County will be disbursed on May 28, 2010. A report from your organization detailing the use of these funds must be sent to the county within (12) months from receipt of the contribution.

With those details aside, we are very appreciative of the opportunities your organization provides for our youngest residents. We wish you the greatest success as you move forward in your endeavors. If you have any questions or need additional information, please feel free to contact me at 757-653-3015. I remain,

Sincerely yours,

Michael W. Johnson  
County Administrator

Cc: Finance Department

# SOUTHAMPTON COUNTY



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Fax: 757-653-0227

April 30, 2010

Barbara Tatum  
18126 Johnsons Mill Road  
Sedley, VA 23878

**RE: Youth Activity Funding Application  
Sedley Recreation Association**

Dear Ms. Tatum:

I am pleased to announce that the Board of Supervisors considered your application for youth activity funding at their regular meeting of April 26, 2010 and adopted a motion to appropriate funding in the amount of \$1,000.00 to be utilized by your organization for physical improvements to recreation facilities. This contribution from Southampton County will be disbursed on May 28, 2010. A report from your organization detailing the use of these funds must be sent to the county within (12) months from receipt of the contribution.

With those details aside, we are very appreciative of the opportunities your organization provides for our youngest residents. We wish you the greatest success as you move forward in your endeavors. If you have any questions or need additional information, please feel free to contact me at 757-653-3015. I remain,

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael W. Johnson".

Michael W. Johnson  
County Administrator

Cc: Finance Department

# SOUTHAMPTON COUNTY



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Fax: 757-653-0227

April 30, 2010

Deborah Jeter  
34574 Smiths Ferry Road  
Franklin, VA 23851

**RE: Youth Activity Funding Application, Bear Path Acres**

Dear Ms. Jeter:

I am pleased to announce that the Board of Supervisors considered your application for youth activity funding at their regular meeting of April 26, 2010 and adopted a motion to appropriate funding in the amount of \$400.00 to be utilized by your organization for Project Learning Tree and Project Wild. This contribution from Southampton County will be disbursed on May 28, 2010. A report from your organization detailing the use of these funds must be sent to the county within twelve (12) months from receipt of the contribution.

With those details aside, we are very appreciative of the opportunities your organization provides for our youngest residents. We wish you the greatest success as you move forward in your endeavors. If you have any questions or need additional information, please feel free to contact me at 757-653-3015. I remain,

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael W. Johnson".

Michael W. Johnson  
County Administrator

Cc: Finance Department