

## Bath County Airport District

Created: 1960 Acts of Assembly, c. 422.

§ 1. Creation of District.—To promote the agricultural and industrial development of the county of Bath and the health, safety, welfare, convenience and prosperity of the inhabitants thereof, there is hereby created within the county a political subdivision to be known as the Airport District of Bath County. For the purposes of this act and not otherwise the district shall be a separate political entity. (1960, c. 422)

§ 2. Boundaries of District.—The boundaries of the district shall be as follows, all references to numbered monuments and corners being to the plate of survey of land purchased by Virginia Hot Springs Company from the Douthat Estate, other corners being lettered:

BEGINNING at A, the intersection of the eastern right of way of Highway U.S. 220 and the center line of the entrance driveway of the Homestead Hotel in the village of Hot Springs; thence with the northward toward Warm Springs approximately 4,750 feet to its intersection with the center line of the road to the old Homestead Quarry at B; thence through the land of Virginia Hot Springs, Inc. [hereinafter abbreviated "VHSI"] S. 59° 40' E. 3,500 feet to Mon. 24, a corner of the old Boone Cabin Tract; I thence continuing through VHSI land S. 48° 28' E. crossing Warm Spring Mountain 4,300 feet to Cor. 36 on top of Little Brushy Mountain at a corner to the George Washington National Forest boundary; thence with the latter the following six courses and distances: (1) S. 28° 59' W. crossing Porter's Creek 6,666 feet to Mon. 37 near the top of Big Brushy Mountain, (2) along the top of the latter and crossing Wilson Creek in the Bear loop S. 15° 37' W. 7,578 feet to Mon. 38, (3) still with the mountain top and east of the present Ingalls Field S. 56° 23' W. 2,570 feet to Mon. 39, (4) still with the mountain top and east of Ingalls Field s. 43° 55' W. 5,075 feet to Cor. 40, (5) still with the mountain top S. 42° 40' W. crossing the south prong of Wilson Creek 7,311 feet t Mon. 41 and (6) down the east side of the mountain S. 27° 58' W. 10,090 feet to Mon. 42 ; thence with an outside VHSI line N. 58° 31' W. 4,884 feet t Mon. 1; thence through VHSI land the following five courses and distances: (1) N. 29° 52' E. 586 feet to Monument 2, (2) N. 56° 59' E. 1,777 feet to Monument 3, (3) S. 54° 16' E. 140 feet to Monument 4, (4) N. 41° 24' E. 4,278 feet to Monument 5, and (5) on a compute bearing N. 29° 31' E. 7,150 feet to C at the southeast corner of the Hobby Horse Farm of Mrs. Rachel I. Ingalls; thence with the line of the latter on a computed bearing N. 35° 29' E. 780 feet to D at the northeast corner of her property; thence through VHSI land on a computed bearing N. 30° 50' E. 4,700 feet to Cor. 17; thence with a VHSI outside line the following eight courses and distances: (1) N. 56° 01' E. 3,178 feet to Mon. 18, (2) N. 18 28' E. 4,957 feet to Mon. 19, (3) N. 34° 18' W. 1,295 feet to Mon. 20, (4) N. 50° 09' E. 2,815 feet to Mon. 21, (5) N. 33 19' E. 537 feet to E., described in an old survey as a rock pile with birch pointers, (6) N. 59 0' W. 1,699 feet to a stone pile at F, (7) S. 32° 35' W. 520 feet to a rock pile at G, and (8) N. 59° 45' W. approximately 700 feet to H on the center line of Shady Lane Extended on the boundary between VHSI and the Rock Spring Farm of Mrs. T. K. Ellis; thence

with the center line of shady Lane extended northward approximately 250 feet to I at its intersection with the center line of The Homestead Trail; thence with the latter northward approximately 4,300 feet to J at its intersection with the center line of the Airport Road thence with the latter in a generally northerly direction approximately 2,000 feet to K to the center line of its intersection with the road leaning to the VHSI ski and skating area; thence with the latter in a northerly direction approximately 2,200 feet to L at its intersection with the center line of the Tool House Road; thence with the latter in a westerly direction approximately 600 feet to M at its intersection with the center line of Homestead Boulevard; thence with the latter in a southerly direction approximately 2,000 feet to N, a point in the entrance driveway of The Homestead Hotel opposite the main entrance, or front door of the hotel; and thence with the center line of the entrance driveway in a westerly direction approximately 500 feet to the place of BEGINNING; and CONTAINING approximately 600 acres. (1960, c. 422)

§ 3. Powers and Authority of District.—The district shall have and may exercise all of the powers and authority conferred upon the cities and counties of the Commonwealth by Articles 1 and 2 of Chapter 3 of Title 5 of the Code of Virginia as heretofore or hereafter amended and shall be subject to all of the limitations and restrictions thereof; provided, however, the powers of eminent domain hereby granted the district shall be subject to the provisions of § 25-233 of the Code as fully and to the same extent as though the district were a corporation possessing the power of eminent domain. (1960, c. 422)

§ 4. Governing Body of District.—The governing body of the district shall be the board of supervisors or the county. (1960, c. 422)

§ 5. Issuance and Sale of Bonds.—

(a) The governing body of the county in which the district is located shall have power, subject to the conditions and limitations of this section, to issue from time to time bonds of such district in such amount as the governing body may deem necessary for the acquisition, construction and improvement of an airport and incidental facilities and in such form as the governing body may prescribe. Such bonds shall be payable in ten equal annual installments, shall bear interest at the annual rate of Three (3%) Per Cent with installments of principal and interest payable on the first day of January of each year, and may be redeemable at such time or times and upon such notice as the board may prescribe and stipulate upon the face of the bonds when issued. They shall be in such denominations as the board may prescribe, signed by its chairman, and countersigned by its clerk under its seal.

(b) As and when funds are needed for the acquisition or construction of an airport and incidental facilities, such bonds may from time to time be issued and sold at either public or private sale at such price not less than par and accrue interest as the board may determine. All bonds thus issued shall be delivered to the treasurer of the county, who shall deliver same to the purchaser upon payment of the purchase price. The proceeds shall be deposited by the treasurer in the same manner as other funds of the county and shall be used only for the purpose for which issued as directed by order of the board.

(c) In appropriating the proceeds of the sale of the bonds the board may in its discretion either specify in detail how they shall be used for the acquisition and construction of an airport or make a general appropriation for that purpose to the county or to a joint airport committee or commission established under § 5-24 of the Code of

Virginia, provided that the proceeds from the sale of bonds may not be used for the maintenance or operation of the airport. (1960, c. 422)

§ 6. Payment of Bonds.—

(a) The net revenue derived from the operation of the airport shall be set aside by the board to pay the interest on the bonds issued hereunder and to create a sinking fund to pay the principal thereof.

(b) Should such net revenue be insufficient for the payment of the interest and principal of said bonds, the board shall, to the extent necessary, levy an annul tax upon all the property in the district subject to local taxation to pay such interest and principal.

(c) The Circuit Court of the county of Bath, or the judge thereof in vacation, upon the petition of a majority of the members of the governing body of said county, shall make an order requiring the judges of election at the precinct or precincts at which the qualified voters living in the said airport district vote, at a time not more than thirty days form the date of such order, which date shall be designated therein, to open a poll and take the sense of the unqualified voters of the airport district on the question of whether the governing body of the county shall issue bonds of the airport district in the manner and for the purposes set forth in the preceding section of this act. The maximum amount of bonds to be voted upon for issuance at one time or from time to time at said election shall be as determined by the governing body of the county in its petition requesting the election.

(d) The election shall be conducted in the manner prescribed by law for the conduct of regular elections and the ballots shall be printed and voted and the returns made and canvassed and the results certified in accordance with the provisions of § 24-141 of the Code of Virginia.

(e) If it shall appear from the report of the commissioners of election that a majority of the qualified voters of the airport district voting on the question are in favor of issuing the bonds, the Circuit Court, or the judge thereof in vacation, shall enter of record an order requiring the governing body of the county to proceed at its next meeting, which may be a regular meeting or a special meeting, to carry out the wishes of the voters as expressed at the election. (1960, c. 422)

§ 7. Liability and Compensation of Treasurer.—The treasurer of the county and his sureties shall be liable for the amount received from the sale of bonds and collection of taxes herein authorized as though same were a county levy. As compensation for his services in the sale of bonds and disbursement of the proceeds the treasurer shall receive 1/8 of 1% of the bonds. For his services in the collection and disbursement of the district tax levy, the treasurer shall be compensate as if the same were a county levy. (1960, c. 422)