RTN
6-4-07

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

EILEEN M. McLANE, FAIRFAX COUNTY ZONING ADMINISTRATOR,	:	
Plaintiff,	:	
v.	:	CASE NO. CL-2006-0009795
DEREK B. VEREEN,	:	
and	:	
ANGELIQUE VEREEN,	:	
Defendants.	:	

CONSENT DECREE

THIS CAUSE came before the Court by the consent of Plaintiff Eileen M. McLane, Fairfax County Zoning Administrator ("Zoning Administrator"), and Defendants Derek B. Vereen and Angelique Vereen (collectively "the Vereens"), for the entry of this Consent Decree; and

IT APPEARING TO THE COURT that the Zoning Administrator filed a Complaint for Declaratory Judgment and Injunctive Relief in this case on August 6, 2006, alleging, *inter alia*, that the Vereens were using property located at 7001 Telegraph Road, which is identified on the Fairfax County Real Property Identification Map ("Tax Map") as Tax Map No. 92-1((1)) parcel 7 ("subject property"), as a junk yard in violation of Fairfax County Zoning Ordinance ("Zoning Ordinance") § 2-302(5); and

IT FURTHER APPEARING TO THE COURT that the Zoning Administrator and the Vereens have agreed to settle this case in accordance with the terms and conditions set forth below, as evidenced by the endorsements hereon of counsel for the parties hereto; and

copy to Tilley c 6/7/07 1 copy to Land Records

IT FURTHER APPEARING TO THE COURT that the parties hereto agree that the terms of this Consent Decree are reasonable and shall not be modified except by the written agreement of the Zoning Administrator and the Vereens with the approval of this Court; and

IT FURTHER APPEARING TO THE COURT that this Consent Decree should be entered; now, therefore, it is hereby

ADJUDGED and DECREED that

1. The Vereens' use and/or allowing the use of the subject property as a junk yard violates Zoning Ordinance § 2-302(5).

2. The Vereens shall bring the subject property into compliance with the Zoning Ordinance within ~~30~~ 60 days after entry of this Consent Decree by removing all items comprising a junk yard from the subject property to a lawful site.

3. The Vereens, their agents, employees, tenants, and/or any successors-in-interest are prohibited from using and/or allowing the subject property to be used in the future as a junk yard in violation of Zoning Ordinance § 2-302(5).

4. The subject property is prohibited from being used at any time in the future as a junk yard in violation of Zoning Ordinance § 2-302(5).

5. If the Vereens, their agents, employees, tenants, and/or successors-in-interest fail to comply with any of the provisions set forth in this Consent Decree, it/he/she/or they shall pay $100 per day to the County of Fairfax (delivered to the Office of the County Attorney in the form of a certified check made payable to the "County of Fairfax") for every day the Court finds a violation. Payment of this amount shall be in addition to any additional sanctions the Court may impose upon a finding of contempt for any violation of this Consent Decree.

6. The Zoning Administrator and/or her agents shall be permitted to inspect the subject property at reasonable times to monitor compliance with the terms of this Consent Decree.

7. The terms set forth in this Consent Decree are reasonable and shall not be modified except by the written agreement of the parties hereto with the approval of this Court.

8. Pursuant to Va. Code Ann. § 17.1-227 (Supp. 2006) the Clerk of the Fairfax County Circuit Court shall record a copy of this Consent Decree among the land records of Fairfax County, Virginia, to give notice of the prohibitions and restrictions contained herein to any successors-in-interest of the Vereens and index this Consent Decree as follows:

GRANTORS: Derek B. Vereen; Angelique Vereen

GRANTEES: Eileen M. McLane; Fairfax County Zoning Administrator

AND THIS CAUSE IS ENDED.

ENTERED this 4 day of ~~April~~ June, 2007.

JUDGE, FAIRFAX COUNTY CIRCUIT COURT

WE ASK FOR THIS:

By: _____

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By: _____

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Fairfax County Zoning Administrator