

MCLEAN CITIZENS ASSOCIATION

RESOLUTION

October 6, 2006

LANGLEY EXXON SERVICE STATION AND RELATED COURT ORDER

Whereas, the Langley Exxon Service Station, located on the southwest corner of Dolly Madison Boulevard and Kirby Road, McLean, Virginia 22101, was constructed pursuant to a court order entered on June 9, 1981, in the case of *Wagner v. Board of Zoning Appeals of Fairfax County, Virginia*, Case No. (at Law) 39075, Circuit Court of Fairfax County, Virginia, culminating the proceedings in four consolidated lawsuits; and

Whereas, the Court Order incorporates, by reference, a settlement agreement regarding primarily landscaping for the site, which was signed by the McLean Civic Association (to which the McLean Citizens Association is the successor) and the property owner, Exxon Corporation; and

Whereas, Exxon now seeks to replace the canopy that shelters the gasoline pump islands of said service station, and raising the overall height by six (6) inches, for safety reasons: to wit, the need to accommodate the increased height of some trucks now in use; and

Whereas, Exxon has agreed with the Ranleigh Neighborhood Association, which represents the residents of the immediate neighborhood, that the replacement canopy will use the same materials and have the same color as the existing canopy, thereby making a minimal change in the appearance of the service station; and

Whereas, the proposed change might require review and approval by the Circuit Court of Fairfax County and a modification of the Court Order; and

Whereas, the Ranleigh Neighborhood Association has accepted the rationale of this minimal change for safety reasons and supports the proposed change in the service station; and

Whereas, the McLean Citizens Association concurs that the proposed replacement of the canopy of said Exxon Service Station will make a minimal change as required by safety concerns; and

Whereas, the Ranleigh Neighborhood Association and the McLean Citizens Association, each, conditions its endorsement on the proposed replacement of the canopy on the specific stipulation that this change does not set a precedent for other changes in the settlement agreement, the Court Order, or the service station.

Now therefore, be it Resolved, that the McLean Citizens Association hereby endorses the replacement of the canopy at said Exxon Service Station, as proposed -- with the provisos that the new canopy is no larger in its footprint than the existing canopy and retains the same orientation -- and no other changes in the settlement agreement, Court Order, or said Exxon Service Station.

Be it further Resolved, that Board of Directors of the McLean Citizens Association authorizes its officers to execute such documents, as may be requested by the Fairfax County Attorney, to effect a modification of the settlement agreement and/or the Court Order for only such limited purpose as set forth herein.

cc:

Fairfax County Planning Commission

Commissioner Nancy Hopkins

Supervisor Joan M. DuBois

John Foster, Esq., Fairfax County Attorney

Ms. Anne Day, Ranleigh Neighborhood Association