TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

ORDINANCE

JULY 28, 2026

Ordinance- **to approve an Encroachment Agreement with AM Worldgate Owner, LLC, owner of real property known as Fairfax County Map 0161 30 B, (Worldgate Property), to permit the encroachment of stormwater ponding backup and overland relief resulting from development of the Worldgate Property in accordance with site plan MJP24-02, over a portion of Town owned property known as Chandon Park containing 7.9144 acres, located at 900 Palmer Drive, Herndon, Virginia, in the southwest corner of the intersection of Palmer Drive and Herndon Parkway, known as Fairfax County Map 0161 19 D1.**

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The Town Council approves an Encroachment Agreement to permit AM Worldgate Owner, LLC (Worldgate) to install and maintain a retaining wall on Worldgate Property causing temporary inundation, stormwater ponding backup and overland relief flow to encroach on Town owned property at Chandon Park.

2. Chandon Park is currently subject to some temporary inundation, stormwater ponding backup and overland relief flow. The construction of the retaining wall on the Worldgate Property will increase the level of temporary inundation, stormwater ponding backup and overland relief flow for a 100-year rain event on the Town property.

3. Worldgate has agreed to pay a one-time fee of $16,012.00 as consideration for the right to use the Town property.

4. The mayor is authorized to sign and deliver the Encroachment Agreement and any instrument necessary to evidence or effectuate the Encroachment Agreement, provided they are consistent with this ordinance and on such form approved by the Town Attorney.

5. This ordinance shall be in effect on and after the date of its adoption.