

Town of Fairfax Permitted To Annex 3 Square Miles

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Staff Reporter

The town of Fairfax was granted yesterday the right to annex more than three square miles of unincorporated land around its perimeter.

A panel of three judges, appointed by Virginia's Supreme Court, granted the town about 40 per cent of the 5070 acres for which it had petitioned.

The town was given, in general, the areas served by its municipal water and sewer systems. The annexation became effective Jan. 1, 1959.

The annexation was vehemently opposed by Fairfax County, in which the disputed land lies.

Attorneys for the county warned that if Fairfax town were allowed to expand its borders, it would set off a chain reaction of annexation petitions at the county's expense.

The towns' struggle for taxable land would be sharpened, they said.

Frank L. Balls, representing the County, predicted that Falls Church would attempt, before the end of the year, to annex a chunk of Fairfax County.

Fairfax town's area will be more than doubled by the court's grant.

The grant includes the Country Club Hills development, where residents voted 116 to 3 for annexation in a recent poll. But it excludes a large area proposed for industrial development. And it also left out Oakton, which the judges described as a self-contained community.

The judges hearing the dispute were Paul E. Brown, chief judge of the County's Circuit Court, Hamilton Haas of Harrisonburg, and J. J. Temple of Prince Georges County.

The town argued it should have jurisdiction over the areas to which it extended municipal services, or which it was prepared to serve.

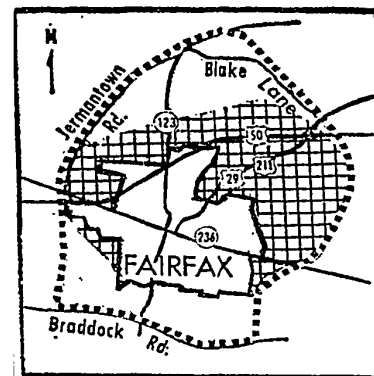
Calvin Van Dyck, counsel for the town, argued that town property is taxable by the county and annexation would bring no disadvantage to the county.

"I think it is very significant," Van Dyck declared, "that not a single person in this area has asked that this annexation be denied."

Ball replied Fairfax County was an integral urban community, and should properly come under a single administrative unit.

The town wanted new land because it was hungry for an increased tax base and borrowing capacity, he said. "The business area of the old town is shot to pieces, it's full of vacancies," he told the judges.

Robert C. Fitzgerald, Commonwealth's Attorney for the county, charged that the town's water supply will shortly be inadequate, and eventually the water-sewer system will be integrated into area-wide utilities.



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Shaded area shows land which Circuit Court said yesterday the Town of Fairfax could annex. Town originally had asked permission to annex larger area shown within dotted lines.