



# #9 1970- ANNEXATION CHISELING THE HORNER-BAGLEY LINE



By Sandy Adkins, Chesterfield County Public Affairs Officer

**O**n Jan. 1, 1970, Chesterfield County changed.

Just one day prior, the county's residents numbered almost 125,000. But, just as a new decade was dawning, that figure dropped by approximately 47,000.

Gone, too, were shopping-hub Southside Plaza, the new Huguenot High School, and over half of the county's water mains and sewer lines.

The people, the buildings and the infrastructure were all encompassed in a 23-square-mile stretch of land that now was officially part of the city of Richmond. In exchange for the annexed land, Chesterfield County received over \$7.8 million, and the city assumed over \$19 million of the county's debt.

An annexation battle that had begun on July 19, 1965, was over.

The city's quest to enlarge its boundaries involved an annexation court, the Virginia

Supreme Court, the General Assembly and, eventually, the U.S. Supreme Court. For five years and with numerous lawyers, Chesterfield County and Richmond officials filed lawsuits and appeals and met numerous times in private to try to reach a settlement in the emotional and often contentious case. Ultimately, though, it was only two men – **Irvin G. Horner**, chairman of the county's Board of Supervisors, and Richmond Mayor **Phil J. Bagley** – who negotiated the terms of what was to be the final annexation agreement.

With the annexation suit still pending, the two leaders met privately four times in early 1969 in an effort to negotiate a solution that would allow the localities to end the matter swiftly and, if possible, to mutual advantage. It wasn't until their fifth meeting on May 15 of that year that they reached accord.

For Chesterfield County, it was no longer a matter of whether its land would be annexed,



Photo courtesy of CHESTERFIELD: An Old Virginia County, Vol. II, 1955-1989

Reservoir and the Falling Creek Wastewater Treatment plant, and stretched south and west from the city to include land beyond Buford Road and Chippenham Parkway. In addition to the land, revenue and resources, an annexation of that size would have resulted in the loss of a sizable portion of the county's population.

In addition, during the first week of the trial almost eight months earlier, the court had ruled that the city, if it chose, could extend the area it originally identified for annexation to include the newly constructed Huguenot High School. Since the school had been built to serve that area, but was outside of the original annexation plan, the court reasoned that the boundaries could be widened for its inclusion.

Facing this possibility, as well as a pending amendment to the state constitution that would allow Richmond's boundaries to "be enlarged ... in any manner the General Assembly shall prescribe" as long as the annexed locality was "fairly and fully" compensated, Horner sought to maintain some control of the county's fate.

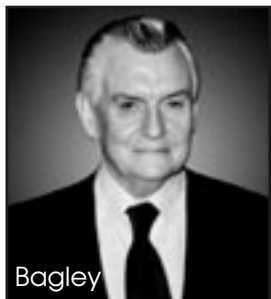


Photo courtesy of Richmond Public Library

For Richmond, the annexation suit had become a time-sensitive matter. In the early 60s, the city had indicated a desire to annex land from a neighboring locality for the purpose of urban development and in the economic and cultural interests of its residents. Several years later, the city had been awarded a 17-square-mile portion of Henrico County, but eventually rejected the offer because it couldn't afford the required \$55 million compensation.

Despite the fact that the annexation almost certainly would happen, and from all indications would be in the city's favor, Bagley

but how much. The original annexation suit filed by Richmond sought 51 square miles of the county, an area that included the DuPont Corp. plant, Falling Creek

had an interest in settling the matter before the 1970 Richmond City Council elections were held. If the lawsuit was decided by the courts and not by mutual agreement, it was almost certain that the county would appeal, a lengthy and costly proposition.

The stage was set, then, for Horner and Bagley's fifth and final meeting. It occurred on May 15, 1969, prompted by a local newspaper reporter visiting with Bagley at Richmond's City Hall. At the reporter's suggestion, Bagley called Horner and the two leaders agreed to meet that evening to discuss a compromise.

Bagley brought a map to the meeting outlining an annexation area that encompassed 48,000 people. Over the course of the meeting, he agreed to reduce that number to not less than 44,000, and the men redrew the annexation boundary line – later known as the Horner-Bagley line – to include 23 square miles and approximately 47,000 people. Horner and Bagley initialed the map, and a month later, in the company of their localities' attorneys, met to finalize the financial details of the annexation.

On June 12, 1969, Chesterfield County's Board of Supervisors voted 4-2 to accept the agreement and financial offer. County and city officials signed the agreement 13 days later, and, on July 1, the court approved the annexation defined by the Horner-Bagley line.

Exactly five months later, the annexation became official, ending what is considered one of the most celebrated municipal annexations in modern American history. In 1979, the Virginia General Assembly adopted legislation that allowed any county meeting certain population and density standards to petition the local circuit court to declare the county permanently immune from annexation. In 1981, Chesterfield County and several other counties in the state subsequently sought and received such immunity from further annexation.

In 1987, the General Assembly, recognizing the controversy surrounding annexations in Virginia, placed a moratorium on future annexations of any county. However, even when this moratorium expires, as it is currently scheduled to do in 2010, Chesterfield County will remain immune from annexation because of the 1981 grant of immunity.

Many people believe that the strong regional cooperation that has occurred in Virginia between cities and counties since the moratorium is in large part attributable to the removal of the threat of annexation. ■

