COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #5-D

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

January 16, 2008

MOTION

Made By: Mr. Witt Seconded By: Mrs. Carter Action: Motion Carried, Unanimously

Title: Land Conveyance, Interstate 95, Route 631 subsequently renumbered to Route 736, and Route 301, Sussex County

WHEREAS, in connection with Route 301, State Highway Project 1891-02, the Commonwealth acquired certain land from Addie M. Holland, et al., by Deed dated June 16, 1954, recorded in Deed Book 51, Page 123; George E. Maryland, et al., by Deed dated May 24, 1954, recorded in Deed Book 51, Page 35; M. D. Magee, et al., by Deed dated March 31, 1954, recorded in Deed Book 50, Page 523; and H. F. Hoke, et al., by Deed dated May 16, 1954, recorded in Deed Book 51, Page 243, all recorded in the Office of the Clerk of the Circuit Court of Sussex County, Virginia; and

WHEREAS, in connection with Interstate 95, State Highway Project 0095-091-101, RW-201, the Commonwealth acquired certain land from M. D. Magee, Jr., et al., by Instrument dated February 24, 1971, recorded in Volume 75, Page 631, and concluded by Order dated September 7, 1972, recorded in Volume 78, Page 634; George Edward Maryland, et al., by Instrument dated February 8, 1971, recorded in Volume 75, Page 554, and concluded by Order dated August 25, 1977, recorded in Volume 87, Page 652; and Addie M. Holland, et al., by Deed dated March 4, 1971, recorded in Volume 76, Page 609, all recorded in the Office of the Clerk of the Circuit Court of Sussex County, Virginia; and

WHEREAS, a portion of old Route 631 was renumbered to Route 736 as a result of the said Project; and

WHEREAS, in accordance with Section 33.1-151 of the *Code of Virginia* (1950), as amended, a section of old Route 736 was abandoned by the Board of Supervisors of Sussex County by resolution dated August 16, 2007; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.479 acre, more or less, and lying southwest of and adjacent to the revised proposed right of way and limited access line of relocated Route 631 from a point approximately 73 feet opposite approximate Station 485+36 (Route 301 northbound lane centerline) to a point approximately 69 feet opposite approximate Station 40+64 (Relocated Route 631 centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System or Secondary System of State Highways; and

WHEREAS, this conveyance is to be made in accordance and compliance with the provisions and notice requirements of Sections 33.1-154, 33.1-149 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended; and

WHEREAS, the adjacent landowner has requested that the surplus land be conveyed.

NOW, THEREFORE, BE IT RESOLVED, in accordance and compliance with the provisions and notice requirements of Sections 33.1-154, 33.1-149 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended, the conveyance of the said land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute, in the name of the Commonwealth, a deed conveying the land for a consideration satisfactory to the State Director, Right of Way and Utilities, subject to such restrictions as may be deemed appropriate.

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