COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #6-A

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

March 20, 2008

MOTION

Made By: Dr. Davis Seconded By: Mr. Koelemay
Action: Motion Carried, Unanimously

Title: Land Conveyance, Routes 671 and 740, Frederick County

WHEREAS, in connection with Route 671, the Commonwealth acquired certain land from A. J. Todd, widower, et al., by Deed dated February 15, 1967, recorded in Deed Book 331, Page 344, in the Office of the Clerk of the Circuit Court of Frederick County; and

WHEREAS, in connection with Route 671, State Highway Project 0671-034-135, C-501, the Commonwealth acquired certain land from Rosby W. Elliott, et al., by Deed dated June 12, 1974, recorded in Deed Book 433, Page 642; and James L. Bowman, et al., by Deed dated June 12, 1974, recorded in Deed Book 434, Page 154, both recorded in the Office of the Clerk of the Circuit Court of Frederick County; and

WHEREAS, a section of old Route 671 is no longer necessary as a public road since the new location of Route 671 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33.1-155 of the *Code of Virginia* (1950), as amended, a section of old Route 671 was abandoned by the Board of Supervisors of Frederick County by resolution dated May 14, 1980; and

WHEREAS, in accordance with Section 33.1-151 of the *Code of Virginia* (1950), as amended, a section of old Route 671 connection to Route 740 was abandoned by the Board of Supervisors of Frederick County by resolution dated May 23, 2007; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.231 acre, more or less, and lying northeast of and adjacent to the northeast revised right of way line of Route 671 from a point approximately 50 feet opposite approximate Station 42+00 (Route 671 centerline) to a point approximately 50 feet opposite approximate Station 43+95 (Route 671 centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways; and

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

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

NOW, THEREFORE, BE IT RESOLVED, in accordance and compliance with the provisions and notice requirements of Sections 33.1-154 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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