COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #5-D

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

May 15, 2008

MOTION

Made By: Mr. White Seconded By: Mr. Martin Action: Motion Carried, Unanimously

Title: Land Conveyance, Route 460 (old Route 23), Giles County

WHEREAS, in connection with Route 460 (old Route 23), State Highway Project 461-A, the Commonwealth acquired certain land from Lula Gwinn, et al., by Deed dated April 30, 1930, recorded in Deed Book 47, Page 173; and Lula Gwinn, et al., by Deed dated April 30, 1930, recorded in Deed Book 47, Page 181, both recorded in the Office of the Clerk of the Circuit Court of Giles County; and

WHEREAS, in connection with Route 460, State Highway Project 6460-035-114, RW-201, the Commonwealth acquired certain land from Monroe Realty Company, Incorporated, by Instrument dated April 18, 1967, recorded in Deed Book 115, Page 338, and later concluded by Final Order dated February 10, 1969, recorded in Chancery Order Book P, Page 444, both recorded in the Office of the Clerk of the Circuit Court of Giles County; and

WHEREAS, a section of old Route 460 is no longer necessary as a public road since the new location of Route 460 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33.1-148 of the *Code of Virginia* (1950), as amended, the Commonwealth Transportation Board at its meeting held January 17, 1974, abandoned a section of old Route 460; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.83 acre, more or less, as shown on the plans for State Highway Project 6460-035-114, RW-201, and lying east of and adjacent to the east revised existing and proposed right of way line of Route 460 from a point approximately 50 feet opposite approximate Station 169+70 (Route 460 revised westbound lane centerline) to a point approximately 100 feet opposite approximate Station 13+20 (connector centerline) and from a point approximately 50 feet opposite approximate Station 172+05 (Route 460 revised westbound lane centerline) to a point approximately 55 feet opposite approximate Station 11+50 (connector 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; and

WHEREAS, this conveyance is to be made in accordance and compliance with the provisions and notice requirements of Sections 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 33.1-149 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 Acting State Director, Right of Way and Utilities, subject to such restrictions as may be deemed appropriate.

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