COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #5-B

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 613, Nelson County

WHEREAS, in connection with Route 613, the Commonwealth acquired certain land from William D. Witt, et al., by Deed dated September 12, 1995, recorded in Deed Book 375, Page 432, in the Office of the Clerk of the Circuit Court of Nelson County; and

WHEREAS, in connection with Route 613, State Highway Project 0613-062-265, RW-201, the Commonwealth acquired certain land from Alain San Giorgio by Deed dated April 26, 2005, recorded as Instrument # 050003568, in the Office of the Clerk of the Circuit Court of Nelson County; and

WHEREAS, a section of old Route 613 is no longer necessary as a public road since the new location of Route 613 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 613 was abandoned by the Board of Supervisors of Nelson County by resolution dated April 8, 2008; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.74 acre, more or less, as shown on the plans for State Highway Project 0613-062-265, RW-201, and lying east of and adjacent to the east revised existing and proposed right of way line of Route 613 from a point approximately 40 feet opposite approximate Station 11+35 (Route 613 construction baseline) to a point approximately 100 feet opposite approximate Station 15+24 (Route 613 construction baseline) 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, 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; 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 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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