COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda item #3-C

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

September 18, 2008

MOTION

Made By: Mr. Bowie Seconded By: Ms. Carter Action: Motion Carried, Unanimously

Title: Land Conveyance, Route 288, old Route 604, Relocated Routes 651and 604, Chesterfield County

WHEREAS, in connection with Route 288, State Highway Project 0288-020-101, RW-202, the Commonwealth acquired certain land from W. H. Cole, et al., by deed dated March 23, 1972, recorded in Deed Book 1044, Page 828, in the Office of the Clerk of the Circuit Court of Chesterfield County; and

WHEREAS, the conveyance of a portion of the aforesaid property was authorized at a meeting of the Commonwealth Transportation Board held on May 17, 1990, by a resolution duly adopted and recorded in the minutes of the said meeting, pending the abandonment of a portion of old Route 604; and

WHEREAS, a section of old Route 604 is no longer necessary as a public road since the new location of Relocated Route 651 serves the same citizens as the old location of Route 604; and

WHEREAS, in accordance with Section 33.1-155 of the *Code of Virginia* (1950), as amended, a section of old Route 604 was abandoned by the Board of Supervisors of Chesterfield County by resolution dated January 11, 1995, citing the corresponding construction project number for the aforesaid project; and

WHEREAS, it has been determined the exact location of the area authorized for conveyance was misstated in the said resolution adopted on May 17, 1990; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 1.123 acres, more or less, and lying south of and adjacent to the normal right of way limits of Relocated Routes 651 and 604 from a point 48.46 feet opposite Station 19+62.87 (Relocated Route 651 centerline) to a point 70 feet opposite Station 6+81.91 (Relocated Route 604 southbound lane 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 or 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- 154, 33.1-149 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended; and

WHEREAS, the surplus land is to be conveyed for assemblage to the property of the adjacent landowner, Pocahontas State Park, to conclude negotiations for land rights acquired as part of the aforesaid project.

NOW, THEREFORE, BE IT RESOLVED, the aforesaid resolution approved on May 17, 1990, is hereby rescinded, and 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 Division, subject to such restrictions as may be deemed appropriate.

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