COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #3-D

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

September 18, 2008

MOTION

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

Title: Land Conveyance, Route 460, Route 100, Route 1209, Giles County, Town of Pearisburg

WHEREAS, in connection with Route 8, subsequently renumbered to Route 100, State Highway Project 1224-E2, the Commonwealth acquired certain land from Mrs. Orrie Thomas, by Commissioner's Report and Order dated May 26, 1941, recorded in Deed Book 60, Page 269, in the Office of the Clerk of the Circuit Court of Giles County; and

WHEREAS, in connection with Route 460, State Highway Project 6460-035-113, RW-206, the Commonwealth acquired certain land from Wanda O. Thomas, single, by Deed dated June 20, 1974, recorded in Deed Book 136, Page 216, in the Office of the Clerk of the Circuit Court of Giles County; and

WHEREAS, a portion of the said right of way for Route 100 was subsequently transferred from the State Highway System to the Secondary System of State Highways and renumbered to Route 1209; and

WHEREAS, the said property is now located within the Town of Pearisburg following annexation by the Town from Giles County, by Final Order, dated December 22, 1997, recorded as Instrument Number 97-2549, in Deed Book 289, Page 801, in the Office of the Clerk of the Circuit Court of Giles County; and

WHEREAS, a section of old Route 1209 is no longer necessary as a public road; and

WHEREAS, in accordance with Section 15.2-2006 of the *Code of Virginia* (1950), as amended, a section of Route 1209 was abandoned by the Town Council of the Town of Pearisburg by resolution dated April 8, 2008; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.65 acre, more or less, as shown on the plans for State Highway Project 6460-013-113, RW-206, and lying southwest of and adjacent to the southwest limited access and revised proposed right of way line of the Route 460 By-pass from a point approximately 78 feet opposite approximate Station 211+35 (Route 460 ultimate eastbound by-pass centerline) to a point approximately 78 feet opposite approximate Station 214+06 (Route 460 ultimate eastbound by-pass 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 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 Division, subject to such restrictions as may be deemed appropriate.

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