COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #3-B

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

September 18, 2008

MOTION

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

Title: Land Conveyance, Relocated Route 122, Relocated Route 608, Bedford County

WHEREAS, in connection with Route 122, State Highway Project 0122-009-V06, RW-201, the Commonwealth acquired certain land from John G. Rocovich, Jr., et al., Co-Trustees of the Residuary Trust under the Will of Nova. S. Peters, deceased, by Instrument dated November 15, 1996, recorded as Instrument Number 960013396, Page 92, and concluded by Order dated April 7, 2006, and recorded as Instrument Number 060005283, both recorded in the Office of the Clerk of the Circuit Court of Bedford County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.53 acre, more or less, as shown on the plans for State Highway Project 0122-009-V06, RW-201, and lying southeast of and adjacent to the southeast revised proposed right of way line of Relocated Route 122 from a point approximately 65 feet opposite approximate Station 453+15 (Relocated Route 122 centerline) to a point approximately 65 feet opposite approximate Station 461+00 (Relocated Route 122 centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 122 and 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, the Commonwealth Transportation Commissioner has further certified in writing that the land containing 0.001 acre, more or less, and lying southeast of and adjacent to the southeast revised proposed right of way line of Relocated Route 122 from a point approximately 65 feet opposite approximate Station 451+90 (Relocated Route 122 centerline) to a point approximately 65 feet opposite approximate Station 452+50 (Relocated Route 122 centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 122 and 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, the Commonwealth Transportation Commissioner has further certified in writing that the land containing 1.83 acres, more or less, and lying southeast of and adjacent to the southeast revised proposed right of way line of Relocated Route 122 from a point approximately 65 feet opposite approximate Station 440+80 (Relocated Route 122 centerline) to a point approximately 65 feet opposite approximate Station 451+00 (Relocated Route 122 centerline), thence from the aforesaid Station and lying southwest of and adjacent to the southwest revised proposed right of way line of Relocated Route 608 to a point approximately 30 feet opposite approximate Station 10+48 (Relocated Route 608 centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 122 and 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, the Commonwealth Transportation Commissioner has further certified in writing that the land containing 0.370 acre, more or less, and lying northwest of and adjacent to the northwest revised proposed right of way line of Route 122 from a point approximately 85 feet opposite approximate Station 440+60 (Relocated Route 122 centerline) to a point approximately 85 feet opposite approximate Station 447+30 (Relocated Route 122 centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 122 and 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, the Commonwealth Transportation Commissioner has further certified in writing that the land containing 0.007 acre, more or less, and lying northwest of and adjacent to the northwest revised proposed right of way line of Route 122 from a point approximately 85 feet opposite approximate Station 440+10 (Relocated Route 122 centerline) to a point approximately 85 feet opposite approximate Station 440+50 (Relocated Route 122 centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 122 and 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, conveyance of these lands 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 lands 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 lands, so certified, are approved and the Commonwealth Transportation Commissioner is hereby authorized to execute, in the name of the Commonwealth, a deed conveying the lands for a consideration satisfactory to the Acting State Director, Right of Way Division, subject to such restrictions as may be deemed appropriate.

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