COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #7-D

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

November 20, 2008

MOTION

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

Title: Land Conveyance, Interstate 64, Alleghany County

WHEREAS, in connection with Interstate 64, Interstate Highway Project 0064-003-004, C-501, the Commonwealth acquired certain land from E. St. Clair Miller, et al., by Instrument dated April 30, 1959, recorded in Deed Book 149, Page 197, and concluded by Order dated July 15, 1966, recorded in Deed Book 179, Page 63, both recorded in the Office of the Clerk of the Circuit Court of Alleghany County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 1.35 acres, more or less, and lying northwest of and adjacent to the northwest revised proposed right of way line of Interstate 64 from a point approximately 340 feet opposite approximate Station 162+15 (Interstate 64 west bound lane centerline) to a point approximately 320 feet opposite approximate Station 185+90 (Interstate 64 west bound lane centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Interstate 64 and does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Interstate 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.

WHEREAS, Section 33.1-49 of the *Code of Virginia* (1950) grants the Commonwealth Transportation Board the authority and power relative to the Interstate System as is vested in it relative to highways in the Primary system; and

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 State Director, Right of Way Division, subject to such restrictions as may be deemed appropriate.

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