COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item # 5

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

December 18, 2008

MOTION

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

Title: Land Conveyance, Route 33, old Route 33, King and Queen County

WHEREAS, in connection with Route 33, State Highway Project 18CR-2, the Commonwealth acquired certain land from J. J. Anderson, et al., by Deed dated September 26, 1944, recorded in Deed Book 34, Page 433; and L. M. Milby, et al., by Deed dated September 26, 1944, recorded in Deed Book 34, Page 479, both recorded in the Office of the Clerk of the Circuit Court of King and Queen County; and

WHEREAS, a section of old Route 33 is no longer necessary as a public road since the new location of Route 33 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33.1-148 of the *Code of Virginia* (1950), as amended, the Commonwealth Transportation Board at its meeting held October 16, 2008, abandoned a section of old Route 33; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 1.6 acres, more or less, as shown on the plans for State Highway Project 0033-966-103, RW-201, and lying between the existing right of way lines of old Route 33 from approximate Station 259+00 (old Route 33 survey centerline) to approximate Station 263+54 (old Route 33 survey centerline) 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, 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 locality 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 33.1-149 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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