COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
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Agenda item #5-A

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

February 5, 2009

MOTION

Made By: Mr. McCarthy Seconded By: Mr. Davies Action: Motion Carried, Unanimously

Title: Land Conveyance, Route 60, 8th Street, 9th Street, City of Richmond

WHEREAS, in connection with Route 60, State Highway Project 0060-127-101, RW-201, the Commonwealth acquired certain land from Seaboard Coast Line Railroad Company by Agreement dated February 24, 1972, recorded in Deed Book 397, Page 548, and concluded by Order dated May 9, 1972, recorded in Deed Book 397, Page 556, both recorded in the Office of the Clerk of the Hustings Court, Part II, of the City of Richmond; and

WHEREAS, the conveyance of a portion of the aforesaid property was authorized at a meeting of the State Highway Commission, predecessor to the Commonwealth Transportation Board, held on July 20, 1972, by a resolution duly adopted and recorded in the minutes of the said meeting; and

WHEREAS, a deed dated April 12, 1973, conveying said property was executed and delivered to the Grantee with consideration for the said property received; and

WHEREAS, the deed was not recorded by the Grantee and subsequently misplaced; and

WHEREAS, the Grantee has requested replacement of the original deed; and

WHEREAS, it has been determined the exact location of the area authorized for conveyance was misstated in the said resolution adopted on July 20, 1972; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.241 acre, more or less, and lying southwest of and adjacent to the southwest revised proposed right of way line of 8th Street, as shown on the plans for State

Highway Project U000-127-101, RW-201, from a point approximately 58 feet opposite approximate Station 42+84 (8th Street south approach – 9th Street bridge centerline) to a point approximately 69 feet opposite approximate Station 46+13 (8th Street south approach – 9th Street bridge centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 60 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, 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.

NOW, THEREFORE, BE IT RESOLVED, the aforesaid resolution approved on July 20, 1972, is hereby rescinded, and 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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