COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item # 1B

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

February 19, 2009

MOTION

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

Title: Land Conveyance, old Route 221, old Route 870, Bedford County

WHEREAS, in connection with Route 460, State Highway Project 679-C, the Commonwealth acquired certain land from Macon H. Campbell, et al., by Commissioner's Report dated January 24, 1934, recorded in Deed Book 168, Page 191 and Order dated March 1, 1934, recorded in Deed Book 168, Page 192, both recorded in the Office of the Clerk of the Circuit Court of Bedford County; and

WHEREAS, in connection with Route 460, State Highway Project 679-CD, the Commonwealth acquired certain land from Melissa W. Dunn, et al., by deed dated December 14, 1933, recorded in Deed Book 167, Page 508, in the Office of the Clerk of the Circuit Court of Bedford County; and

WHEREAS, in connection with Route 221, State Highway Project 0221-009-110, RW-204, the Commonwealth acquired certain land from Bertie L. Hagy, et al., by deed dated December 3, 1991, recorded in Deed Book 828, Page 428, in the Office of the Clerk of the Circuit Court of Bedford County; and

WHEREAS, the State Highway Commission, predecessor of the Commonwealth Transportation Board, at its meeting held December 17, 1970, renumbered sections of Route 460 to Route 221; and

WHEREAS, a section of Route 221 was transferred from the State Highway System to the Secondary System of State Highways by the Commonwealth Transportation Board at its meeting held June 12, 1997, and renumbered to Route 870; and

WHEREAS, a section of old Route 221 is no longer necessary as a public road since the new location of Route 221 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 June 12, 1997, abandoned a section of old Route 221; and

WHEREAS, in accordance with Section 33.1-151 of the *Code of Virginia* (1950), as amended, a section of old Route 870 was abandoned by the Board of Supervisors of Bedford County by resolution dated November 16, 2005; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 1.042 acres, more or less, as shown on the plans for State Highway Project 0221-009-110, RW-204, and lying southeast of and adjacent to the proposed right of way line of relocated Route 221 from a point approximately 45 feet opposite approximate Station 259+58 (relocated Route 221 office revised baseline) to a point approximately 338 feet opposite approximate Station 264+37 (relocated Route 221 office revised baseline) 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 or the Secondary System of State Highways; and

WHEREAS, this conveyance is to be made in accordance and compliance with the provisions and notice requirements of Sections 33.1-149, 33.1-154 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- 149, 33.1-154 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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