COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #9-B

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

November 19, 2009

MOTION

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

Title: Surplus Land Conveyance, Route 723, Nottoway County

WHEREAS, in connection with Route 723, State Highway Project 0723-067-109,C-501, the Commonwealth acquired certain land from Horace H. Ellett, et al., by deed dated January 11, 1967, recorded in Deed Book 175, Page 392, in the Office of the Clerk of the Circuit Court of Nottoway County; and

WHEREAS, a section of old Route 723 is no longer necessary as a public road since the new location of Route 723 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33-76.12 of the *Code of Virginia* (1950), as amended (predecessor to Section 33.1-155), a section of old Route 723 was abandoned by the Board of Supervisors of Nottoway County by resolution dated December 20, 1968; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.672 acre, more or less, and lying southeast of and adjacent to the southeast revised existing right of way line of Route 723 from a point approximately 40 feet opposite approximate Station 144+63 (Route 723 centerline) to a point approximately 40 feet opposite approximate Station 150+86 (Route 723 centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of 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 33.1-154 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 33.1-154 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 and Utilities Division, subject to such restrictions as may be deemed appropriate.

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