COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #10-H

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

September 20, 2007

MOTION

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

Title: Land Conveyance, Routes 49 and old 742, Mecklenburg County

WHEREAS, in connection with Route 49, State Highway Project 3458-06, the Commonwealth acquired certain land from N. H. Orr, et al., by Deed dated March 14, 1956, recorded in Deed Book 157, Page 336; and Garland C. Pennell, et al., by Deed dated March 19, 1956, recorded in Deed Book 157, Page 480, both recorded in the Office of the Clerk of the Circuit Court of Mecklenburg County; and

WHEREAS, a section of old Route 742 is no longer necessary as a public road since the new location of Route 49 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 35-76.12, predecessor to Section 33.1-155 of the *Code of Virginia* (1950), as amended, the Mecklenburg County Board of Supervisors, at its meeting held August 3, 1957, abandoned a section of old Route 742; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.569 acre, more or less, as shown on the plans for State Highway Project 3458-06, and lying west of and adjacent to the west revised proposed right of way line of Route 49 from a point approximately 40 feet opposite approximate Station 560+65 (Route 49 centerline) to a point approximately 40 feet opposite approximate Station 564+20 (Route 49 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, 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, 33.14-154 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, subject to such restrictions as may be deemed appropriate.

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