



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Pierce R. Homer  
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106  
Richmond, Virginia 23219

(804) 786-1830  
Fax: (804) 225-4700

*Agenda item #8-E*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 16, 2009

#### MOTION

**Made By: Mr. Davies,    Seconded By: Mr. Koelemay,**  
**Motion Carried, Unanimously**

#### **Title: Easement Conveyance, Route 671, Albemarle County**

**WHEREAS**, in connection with Route 671, State Highway Project 1302-10-15, the Commonwealth acquired certain land from C. M. Sprouse, single, et al., by deed dated January 12, 1954, recorded in Deed Book 311, Page 359, in the Office of the Clerk of the Circuit Court of Albemarle County; and

**WHEREAS**, in connection with the relocation of Route 671, State Highway Project 0671-002-191, C-501, the Commonwealth acquired certain lands and open-space easements from Charles Wilson McNeeley, IV and the Virginia Outdoors Foundation by deed dated June 22, 1995, recorded in Deed Book 1498, Page 655; Jasper P. Davis, Jr., et al. and the Virginia Outdoors Foundation by deed dated June 22, 1995, recorded in Deed Book 1509, Page 61; and Charlotte D. Buttrick and Virginia Outdoors Foundation by deed dated June 22, 1995, recorded in Deed Book 1498, Page, 650, all recorded in the Office of the Clerk of the Circuit Court of Albemarle County; and

**WHEREAS**, a section of old Route 671 is no longer necessary as a public road since the new location of Route 671 serves the same citizens as the old location; and

**WHEREAS**, in accordance with Section 33.1-155 of the *Code of Virginia* (1950), as amended, a section of old Route 671 was abandoned by the Board of Supervisors of Albemarle County by resolution dated June 3, 1998; and

**WHEREAS**, in accordance with the requirements of Section 10.1-1704 of the *Code of Virginia* (1950), as amended, substitution of other real property for use as permanent open-space land is required; and

Resolution of the Board  
Conveyance – Route 671  
County of Albemarle  
July 16, 2009  
Page Two

**WHEREAS**, by Agreements dated July 31, 1995, the Commonwealth of Virginia, Virginia Department of Transportation and the Virginia Outdoors Foundation agreed that a portion of the aforesaid property acquired from C. M. Sprouse, single, et al., is to be utilized to comply with the aforesaid *Code of Virginia* (1950) requiring replacement of the permanent open space land, as amended; and

**WHEREAS**, the Commonwealth Transportation Commissioner has certified in writing that the easement containing 0.210 acre, more or less, and lying southeast of and adjacent to the southeast revised existing right of way line of Relocated Route 671 from a point approximately 20 feet opposite approximate Station 66+44 (Relocated Route 671 construction centerline) to a point approximately 20 feet opposite approximate Station 67+80 (Relocated Route 671 construction 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

**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 easement, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute, in the name of the Commonwealth, a deed conveying the easement for a consideration satisfactory to the State Director, Right of Way Division, subject to such restrictions as may be deemed appropriate.

####