



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # 9-A*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

**June 15, 2011**

#### MOTION

**Made By: Mr. Martin Seconded By: Mr. Bowie Action: Motion Carried, Unanimously**

#### **Title: Surplus Land Conveyance, Route 122, Franklin County**

**WHEREAS**, in connection with Route 122, State Highway Projects 678-C2, and 678-C4, the Commonwealth acquired certain lands from W. J. Hundley, single, by Deed dated May 6, 1940, recorded in Deed Book 95, Page 563; and W. L. Moorman, et al., by deed dated March 4, 1942, recorded in Deed Book 98, Page 289, both recorded in the Office of the Clerk of the Circuit Court of Franklin County; and

**WHEREAS**, a section of old Route 122 is no longer necessary as a public road since the new location of Route 122 serves the same citizens as the old location; and

**WHEREAS**, in accordance with Section 33-76.5 of the *Code of Virginia* (1950), as amended, the State Highway Commission of Virginia, predecessor to the Commonwealth Transportation Board, at its meeting held September 19, 1963, abandoned a section of old Route 122; and

**WHEREAS**, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.723 acre, more or less, as shown on the plans for Route 122, State Highway Project 0122-009-102, A-010, and lying north of and adjacent to the north revised existing right of way line (06-15-2011) of Route 122 from a point approximately 213 feet opposite Station 53+91.8 (Route 122 baseline) to a point 102.7 feet opposite Station 59.09+7 (Route 122 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; and

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**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**, 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 and Utilities Division, subject to such restrictions as may be deemed appropriate.

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