



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # 8-A*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 15, 2013

#### MOTION

Made By: Mr. Sterling      Seconded By: Mr. Layne

Action: Motion Carried, Unanimously

#### Title: Limited Access Control Change (LACC), Interstate 81, City of Bristol

**WHEREAS**, Interstate 81 (I-81) was designated as a limited access highway by the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), on October 4, 1956; and,

**WHEREAS**, in connection with Interstate 81, State Highway Project 0081-095-014, RW-201, the Commonwealth acquired certain lands from F. M. Gibson Estate by Instrument dated January 3, 1963, recorded in Deed Book 322, Page 365, and concluded by Decree dated February 15, 1964, recorded in Deed Book 386, Page 635, in the Office of the Clerk of the Circuit Court of Washington County; and,

**WHEREAS**, the City of Bristol, adjoining landowner, by letter dated November 19, 2012, has requested the conveyance of a portion of the said land, which adjoins their property, consisting of approximately 2.313 acres, more or less; and

**WHEREAS**, the said portion lies north of and adjacent to the north existing right of way and limited access line of Interstate 81, as shown on the plans for State Highway Project 0091-095-F13, RW-201, which would require a southerly shift in the said line to create a surplus parcel of land; and,

**WHEREAS**, VDOT and the Federal Highway Administration (FHWA) have determined that a southerly shift in the said north existing right of way and limited access line, from a point approximately 93 feet opposite approximate Station 124+34 (I-81 southbound construction baseline) to a point approximately 93 feet opposite approximate Station 128+61(I-81 southbound

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construction baseline), as shown on the said plans for State Highway Project 0081-095-F13, RW-201 would be necessary to create the said surplus parcel, and is appropriate from a design standpoint; and,

**WHEREAS**, VDOT's Bristol District and FHWA have determined that as there will be no impact to the operation of Interstate 81 right of way, and that the said shift is appropriate from a safety and traffic control standpoint, and have waived the requirement for a Global Traffic Analysis; and,

**WHEREAS**, the change in the right of way and limited access control shall require the highway fencing to be relocated; and,

**WHEREAS**, all right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements; and,

**WHEREAS**, VDOT staff and the FHWA have determined there will be no adverse environmental impacts; and,

**WHEREAS**, all costs of any engineering and construction or necessary safety improvements will be borne by the adjoining landowner; and,

**WHEREAS**, VDOT has determined no compensation shall be due in consideration of the proposed LACC, as no value will be added to the adjoining land solely by shifting the said line; however, compensation in an amount satisfactory to the State Director Right of Way and Utilities Division shall be required for the surplus land conveyance; and,

**WHEREAS**, public notices were posted in the *Bristol Herald Courier* newspaper of the City of Bristol, Virginia, on February 23, 2013, and March 11, 2013, and the public notices closed on March 18, 2012, with no comment received; and,

**WHEREAS**, the proposed LACC is in compliance with Title 24, Section 30, Chapter 401 of the *Virginia Administrative Code*; and,

**WHEREAS**, upon completion of the proposed shift and acceptance by VDOT, all work and improvements within the said revised Interstate 81 right of way and limited access lines as shown on the said plans will become or remain the property of VDOT.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance and in compliance with the provisions and notice requirements of Section 33.1-58 of the *Code of Virginia* (1950), as amended, the CTB hereby finds and concurs with the determinations made by VDOT and approves the said LACC for the relocation of an existing break in limited access control as set forth and subject to the above conditions.

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**BE IT FURTHER RESOLVED**, the Commissioner of Highways is authorized to execute any and all documents necessary to implement such changes.

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