



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
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Agenda item # 11

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 21, 2018

MOTION

Made By: Mr. Stinson, Seconded By: Mr. Brown
Action: Motion Carried, Unanimously

Title: Statewide Abandonment – Primary System of State Highways

WHEREAS, upon construction of Route 460 in Buchanan County in the 1960's, the State Highway Commission, predecessor to the Commonwealth Transportation Board, relocated a segment of an existing primary system roadway to a new alignment, causing the segment identified to be

- (a) no longer necessary as a public road, since a new road serves the same citizens as the old, or
- (b) no longer provides a public convenience that warrants maintenance at public expense; and

WHEREAS, the State Highway Commission passed a resolution on April 25, 1968, discontinuing a portion of old Route 460; and

WHEREAS, the Buchanan County Board of Supervisors wishes to connect Route 680 with an as-yet unconstructed county road that would connect with Route 721 adjacent to the old Route 460 roadbed. Abandonment of the section in question followed by conveyance to the County pursuant to § 33.2-904 would allow this connection to be made; and

WHEREAS, the Buchanan County Board of Supervisors has approved a resolution, attached hereto as Exhibit A, requesting the abandonment of a certain segment of old Route 460 extending from Route 680 to Route 721, as seen in the map attached hereto as Exhibit B, which is the same segment discontinued in 1968; and

WHEREAS, the primary roadway that is no longer providing sufficient public convenience to warrant maintenance at public expense may be abandoned by the Board, pursuant to § 33.2-902, *Code of Virginia* 1950, as amended; and

WHEREAS, the Virginia Department of Transportation (VDOT) posted notice of the intent to abandon such segment, attached hereto as Exhibit C, and such posting was done in accordance with § 33.2-902, and VDOT received no requests for public hearing on the matter.

Primary System of State Highways

NOW THEREFORE, BE IT RESOLVED, that the roadway segment identified below, by Construction District, is hereby ordered abandoned as part of primary system of state highways, pursuant to § 33.2-902, *Code of Virginia*, 1950, as amended.

Abandonment

Bristol District

Buchanan County

Project: 0460-013-101, C507

- Route 460 – Segment A – B 1.25 Mi.

Total Mileage Abandoned from the Primary System: 1.25 Mi.

#####

CTB Decision Brief

Abandonment of a Previously Discontinued Portion of old Route 460 Located in Buchanan County

Issue: The Buchanan County Board of Supervisors has requested the Virginia Department of Transportation (VDOT) abandon a 1.25 mile segment of a previously discontinued portion of old Route 460 in Buchanan County.

Facts: The State Highway Commission, predecessor to the Commonwealth Transportation Board, passed a resolution on April 25, 1968, discontinuing a portion of old Route 460, upon the construction of Route 460 nearby. The 1.25 mile segment currently being requested for abandonment is the same portion of roadway which was discontinued in 1968.

The Buchanan County Board of Supervisors requested, by resolution on December 4, 2017 (Exhibit A, attached), the abandonment of the 1.25 mile segment of old Route 460 extending from Route 680 to Route 721 (segment identified as “A – B” noted in “Blue” on Exhibit B, attached). The County wishes to connect Route 680 with an as-yet unconstructed county road that would connect with Route 721 adjacent to the old Route 460 road bed. Abandonment of the section in question followed by conveyance to the County pursuant to § 33.2-904 would allow this connection to be made.

Upon review of the area, VDOT staff determined the 1.25 mile segment of old Route 460 should be abandoned as a part of the Primary System of State Highways, pursuant to § 33.2-902 of the *Code of Virginia*, since no public necessity exists for the continuance of the segment as a public road.

Pursuant to and in accordance with § 33.2-902 of the *Code of Virginia*, VDOT published a “Notice of Intent to Abandon” in the *Virginia Mountaineer* publication (Exhibit C, attached). No requests for public hearing were submitted during the requisite 30-day time frame.

Recommendations: VDOT recommends the Board approve the abandonment of the 1.25 mile segment of old Route 460 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board’s members to approve the change proposed in this brief. A resolution describing the proposed segment to be abandoned is provided for the Board’s consideration.

Result if Approved: If approved, VDOT will suspend all its maintenance activity on the roadway segment.

Options: Approve, Deny or Defer

Public Comments/Reactions: A public hearing was not requested during the requisite time frame.

Exhibit A
Board of Supervisors' Resolution

BUCHANAN COUNTY BOARD OF SUPERVISORS

James Carroll Branham, Chairman
North Grundy District
William P. Harris, Vice-Chairman
Hurricane District
G. Roger Rife
South Grundy District
Harold Fuller
Garden District
Craig Stiltner
Rocklick District
Earl Scott
Prater District
Trey Adkins
Knox District



Robert Craig Horn
County Administrator

Lawrence L. Moise, III Esq.
County Attorney

December 5, 2017

John Watson
Residency Administrator
P. O. Box 127
Lebanon, VA 24266

RE: Resolution

Dear John:

A regular meeting of the Buchanan County Board of Supervisors was held on Monday the 4th day of December 2017. Upon motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of seven (7) yeas and zero (0) nays, this board did hereby approve to adopt the enclosed Resolution regarding Virginia Department of Transportation's action to abandon from the Primary System of State Highways the section of discontinued old Route 460 between Route 721 and Route 680.

If you have any questions, please don't hesitate to contact me. Thank you.

Sincerely,

Robert Craig Horn, County Administrator

Enclosure

cc: L. Lee Moise, County Attorney
Harold H. Fuller, Garden District Supervisor

The Board of Supervisors of Buchanan County, in regular meeting on the 4th day of December, 2017, adopted the following:

RESOLUTION

WHEREAS, pursuant to §33.2-902 Code of Virginia, the Commissioner of the Virginia Department of Transportation has provided this Board with its notice of intent to abandon from the Primary System of State Highways a section of discontinued old Route 460 from Route 721 to Route 680 (a distance of 1.25 miles), being more particularly described as Section 2 of the project adjustment for VDOT Project 0460-013-101, C507; and

WHEREAS, this Board has requested said abandonment for purposes of facilitating the transfer of title and authority over the old roadway to Buchanan County, pursuant to §33.2-904; and

NOW, THEREFORE, BE IT RESOLVED that this Board supports the Virginia Department of Transportation's action to abandon from the Primary System of State Highways the section of discontinued old Route 460 between Route 721 and Route 680, pursuant to §33.2-902 Code of Virginia; and

BE IT FURTHER RESOLVED, that upon abandonment, this Board shall exercise its authority to assume jurisdiction over said section of highway and maintain same as a public highway pursuant to §33.2-904 Code of Virginia; and

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation Lebanon Residency.

Recorded Vote

Moved By: Harold H. Fuller

Seconded By: Ivey Perkins

Yeas: 2

Nays: 0

A Copy Teste:

Robert C. Horn
Robert C. Horn, County Administrator

Exhibit B

Sketch of Proposed Segment to be Abandoned

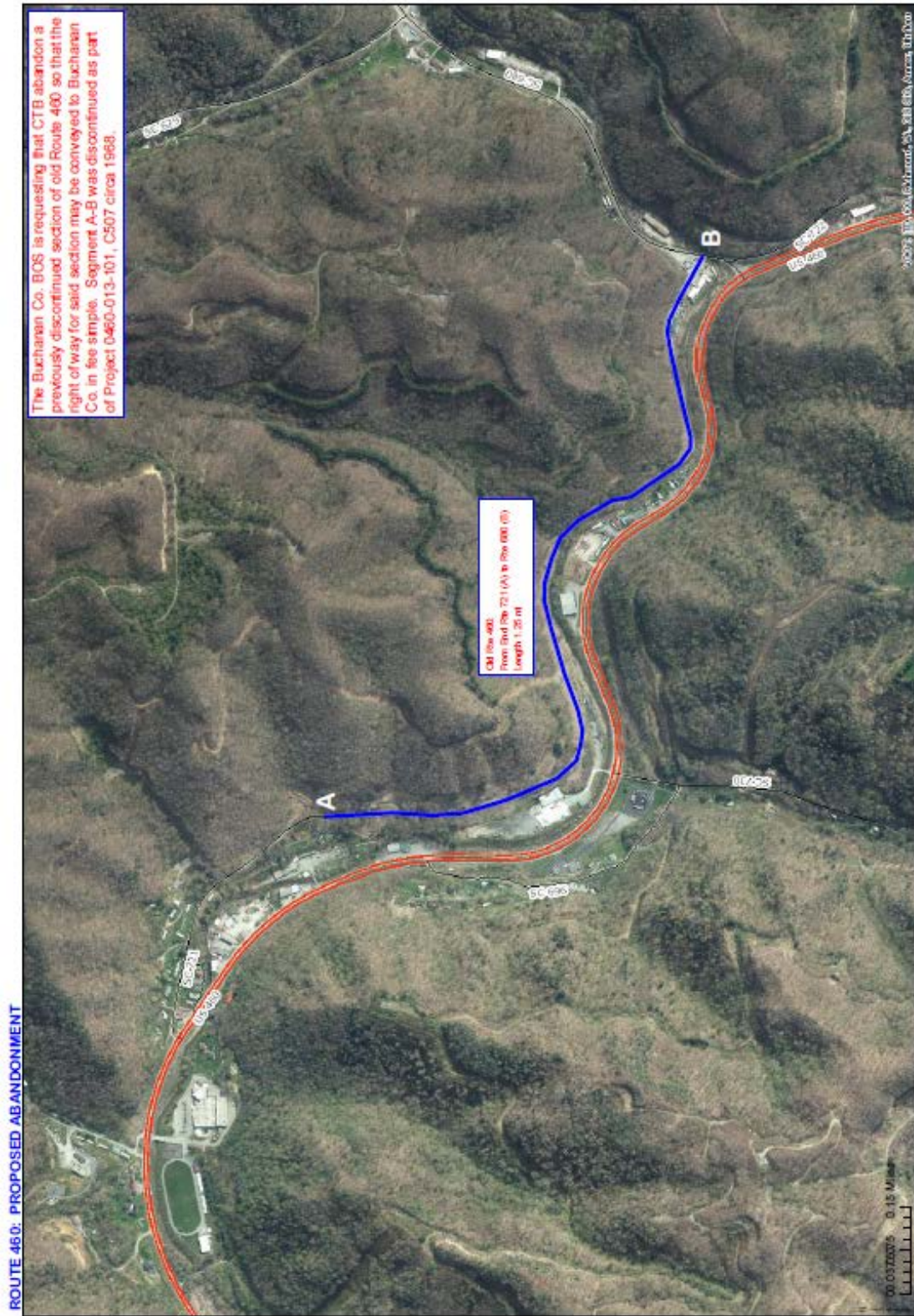



Exhibit C
"Notice of Intent to Abandon"

Published in the *Virginia Mountaineer*
December 14 and 21, 2017

VA Mountaineer 14 DEC 2017



NOTICE OF PROPOSED ROAD ABANDONMENT
DISCONTINUED OLD ROUTE 460: BUCHANAN COUNTY

Location: Discontinued portion of old Route 460 between Route 721 (Chapman Rd.) & Route 680 (Contrary Creek Rd.), a distance of 1.25 miles.


Pursuant to §33.2-902 Code of Virginia, the Virginia Department of Transportation will consider abandonment of a discontinued section of old Route 460, from Route 721 to Route 680, a distance of 1.25 mile(s). This action is being considered to facilitate the transfer of jurisdiction over said section of old Route 460 to the Buchanan County Board of Supervisors pursuant to §33.2-904 Code of Virginia.

Anyone wishing a public hearing be held by the Virginia Department of Transportation prior to its consideration of this proposed abandonment should contact the VDOT Lebanon Residency office on or before **January 19, 2018** to request a public hearing. Persons wishing to review maps and material related to the abandonment prior to submitting a request for a public hearing may do so at the VDOT Lebanon Residency located at 1067 Fincastle Rd. in Lebanon, VA. Please contact the Lebanon Residency in advance to schedule an appointment to review the material.

Virginia Department of Transportation
Lebanon Residency
P.O. Box 127
Lebanon, VA 24266
(276) 889-7601

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VA Mountaineer 14-21-2017



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50-21