

Commonwealth Transportation Board

Shannon Valentine Chairperson 1401 East Broad Street Richmond, Virginia 23219 (804) 786-2701 Fax: (804) 786-2940

Agenda item # 4

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 17, 2020

MOTION

Made By: Mr. Malbon., Seconded By: Mr. Miller.

Action: Motion Carried, Unanimously

<u>Title</u>: <u>Locality Land Conveyances, Various Streets,</u> <u>City of Chesapeake</u>

WHEREAS, Section 33.2-907(C) of the *Code of Virginia* authorizes the Commonwealth Transportation Board, upon petition of a local governing body, to transfer real estate acquired incidental to the construction, reconstruction, alteration, maintenance or repair of the primary state highway system that constitutes a section of public highway to the local governing body, and upon such transfer such section of highway shall cease being a part of the primary state highway system; and

WHEREAS, the City of Chesapeake has requested the conveyance of the right of way for a portion of Military Highway and a portion Gallsberry Road (formerly Military Highway), currently in the City's street system; and

WHEREAS, the City is maintaining, as part of the City's urban street system, the portions of Routes 13, 17 and 299 that are set forth in the attached *Plan and Profile of Proposed State Highway* for Projects 1115 A-1W; 1284, Sections A-1 and B-2; 1284A-2, Section B-6; 1284A-4, Section B-1; 1664-02; 0013-064-101; 1115, Sections A-1, A-1S, B-1, A-2 and A-2S; 1115, Sections C, D and E; 1664-03; 1664-08; 1664-11; 1664-12; 1664-15; 2064-05; 0017-064-002(Old Project 2064-02) (Exhibit A) and are the subject of the requested transfer/conveyance; and

WHEREAS, the proposed conveyance has been reviewed and approved by the Director of Right of Way and Utilities.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 33.2-907(C) of the *Code of Virginia*, as amended, conveyance of the right of way/land requested and shown on Exhibit A is approved as set forth and upon conveyance, the portions of the roads so conveyed shall no longer be a part of the primary state highway system.

Resolution of the Board Proposed Locality Land Conveyance Military Highway City of Chesapeake June 17, 2020 Page Two

BE IT FURTHER RESOLVED, the Commissioner of Highways is hereby authorized to execute, in the name of the Commonwealth, a deed or deeds conveying the right of way/real estate subject to such restrictions as may be deemed appropriate and to take such other actions as necessary to implement such conveyance.

VirginiaDOT.org WE KEEP VIRGINIA MOVING

CTB Decision Brief <u>Title</u>: <u>Locality Land Conveyances, Various Streets,</u> City of Chesapeake

Issue: The City of Chesapeake (the "City") has requested the transfer and conveyance of the right of way for Routes 13, 17 and 299 [Military Highway and Gallsberry Road (formerly Military Highway)] to the City. Such routes were acquired and constructed as a part of Routes 13, 17 and 299, Project 1115 A-1W; 1284, Sections A-1 and B-2; 1284A-2, Section B-6; 1284A-4, Section B-1; 1664-02; 0013-064-101; 1115, Sections A-1, A-1S, B-1, A-2 and A-2S; 1115, Sections C, D and E; 1664-03; 1664-08; 1664-11; 1664-12; 1664-15; 2064-05; 0017-064-002 (Old Project 2064-02). The requested conveyance requires approval by the CTB pursuant to section 33.2-907 (C) of the *Code of Virginia*.

Facts: The City of Chesapeake is maintaining, as part of the City's urban street system, the portions of Routes 13, 17 and 299 that are set forth in the attached *Plan and Profile of Proposed State Highway* for Projects 1115 A-1W; 1284, Sections A-1 and B-2; 1284A-2, Section B-6; 1284A-4, Section B-1; 1664-02; 0013-064-101; 1115, Sections A-1, A-1S, B-1, A-2 and A-2S; 1115, Sections C, D and E; 1664-03; 1664-08; 1664-11; 1664-12; 1664-15; 2064-05; 0017-064-002(Old Project 2064-02) (Exhibit A) and are the subject of the requested transfer/conveyance.

Pursuant to Section 33.2-907(C) of the *Code of Virginia*, the Commonwealth Transportation Board, upon petition of a local governing body, may transfer real estate acquired incidental to the construction, reconstruction, alteration, maintenance or repair of the primary state highway system, which constitutes a section of public highway to the local governing body, and upon such transfer such section of road shall cease being a part of the primary state highway system.

This proposed conveyance has been reviewed and approved by the Director of Right of Way and Utilities..

Recommendations: VDOT recommends that the right of way/real estate be conveyed to the City of Chesapeake for public street purposes and continued inclusion and maintenance by the City as part of the City's urban street system.

Action Required by CTB: The *Code of Virginia* requires a majority vote of the Commonwealth Transportation Board (CTB) to approve the conveyance. The CTB will be presented with a resolution for a formal vote.

Result, if Approved: If said resolution is approved, the right of way/real estate will be conveyed to the City of Chesapeake.

Options: Approve, Deny, or Defer

Public Comments/Reactions: None



City of Chesapeake
Department of Public Works
Right-of-Way Office
Post Office Box 15225
Chesapeake, Virginia 23328-5225
(757) 382-6101

November 15, 2013

Vicky W. Pinchbeck, Project Manager Commonwealth of Virginia Department of Transportation Right of Way and Utilities 1750 North Main Street Suffolk, Virginia 23434

RE: REQUESTING THE TRANSFER OF MILITARY HIGHWAY RIGHT OF WAY TO THE CITY OF CHESAPEAKE, VA

Dear Ms. Pinchbeck:

The City of Chesapeake is requesting the transfer of the Right of Way along Route 13, Military Highway from the City of Suffolk Corporate Line to the City of Virginia Beach Corporate Line.

Included is a copy of a resolution requesting the transfer of Right of Way along U.S. Route 13, Military Highway, from 0.225 Miles East of the Intersection of Route 58 to 7.254 Miles East of the intersection of Route 58 to the City of Chesapeake, to include improvements to the intersection of U.S. Route 13, Military Highway and U.S. Route 17.

Please find attached a copy of the resolution, plus a list of all state projects along Route 13, the cover sheets, Right of Way Data sheets and deed transfers to the Department of Transportation.

Sincerely yours,

Carole A.F. Gillespie Right-of-Way Agent

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Attachment



City of Chesapeake
Department of Public Works
Right-of-Way Office
Post Office Box 15225
Chesapeake, Virginia 23328-5225
(757) 382-6101
Fax (757) 382-8207

March 22, 2010

Vicky W. Pinchbeck,
Property Manager
Commonwealth of Virginia
Department of Transportation
Right of Way and Utilities
1750 North Main Street
Suffolk, Virginia 23434

RE: ROUTE 13, MILITARY HIGHWAY AND INCLUDING THE INTERSECTION OF U.S. ROUTE 13, MILITARY HIGHWAY, AND U.S. ROUTE 17.

Dear Ms. Pinchbeck:

The City of Chesapeake is requesting the transfer to the City of Chesapeake the Right of Way along U.S. Route 13, Military Highway, from 0.225 Miles East of the Intersection of Route 58 to 7.254 Miles East of the intersection of Route 58 to the City of Chesapeake to include improvements to the intersection of U.S. Route 13, Military Highway, and U. S. Route 17.

Included is a copy of the resolution requesting the transfer from the City of Chesapeake, plan sheets plus a deed on one of the properties. Per request, I researched the Highway Department location on Military Highway and was unable to locate other plan sheets relating to this strip.

Sincerely,

Carole Gillespie, Right of Way Agent

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Attachments

FILE	PROJ#	PROJECT DESCRIPTION
A2301	1115	NORFOLK CO: FR 1.187 MI E OF INT RT 58 NEAR BOWERS HILL TO INT RT 27
A2361	1284A-1	NORFOLK & PRINCESS ANNE COUNTIES: FR: INT RTS 13 & 170 TO INT RT 58
		NORFOLK BY-PASS
A2393	1284A-2B	NORFOLK CO: FR 0.388 MI W INT RT 460 & 166Y TO 1.945 M E INT RT 460 &
	1284A-4B	166Y NORFOLK BY-PASS
A4309	1664-10	NORFOLK CO: FR 0.081 MI S OF INT RTES 13 & 165 TO 0.125 MI N OF INT
		RTES 13 & 165
A4422	1664-09	NORFOLK CO: FR 0.070 MI W INT RTE 17 TO 0.105 MI E INT RTE 17
A4959		PRINCESS ANNE AND NORFOLK COS:
	1675-03	FR 1.715 MI E NORFOLK – PRINCESS ANNE CO LINE TO 0.364 MI W NORFOLK
		- PRINCESS ANNE CO LINE (OLD PROJ 574 CW-1 R-3, CW-1 R4)
	1664-02	BRIDGE OVER WRIGHT'S LAKE (OLD 574 B-1)
	1675 -01	FR 0.390 MI E NORFOLK-PRINCESS ANNE CO LINE TO 0.005 MI E NORFOLK-
		PRINCESS ANNE CO LINE (OLD 574 CW-1 R-1)
A5006		NORFOLK & PRINCESS ANNE COUNTIES:
	1664-04	FR 0.188 MI E INT RTES 460 & 166Y TO 0.186 MI N PRINCESS ANNE -
		NORFOLK CO LINE (OLD LA 1264)
	1675-02	FR NORFOLK-PRINCESS ANNE CO LINE TO PRINCESS ANNE-NORFOLK CO LINE
		(OLD LA 1284 1277)
	1664-05	FR: PRINCESS ANNE-NORFOLK CO LINE TO 0.186 MI N PRINCESS ANNE-
		NORFOLK CO LINE(OLD LA 1277)
	1675-06	FR NORTH END OF EAST N BR ELIZ RIVER BR TO 0.500 MI N NORTH END OF
		EAST N BR ELIZ RIVER BR)
	1675-08	FR INT RTE 13 & 58 TO 0.119 MI SO ??
	0013-131-	FR 0.220 MI W CAROLINA-NORTHWESTERN RAILWAY TO: 0.293 MI E
	104 C501	CAROLINA-NORTHWESTERN RAILWAY MILITARY HWY
	0013-131-	*
	104 RW202	
	0064-131-	PROPOSED INTERCHANGE WITH RTE 460 & BUSINESS RTE 13 (SO MILITARY
	105 C501	HWY)
	0013-131-	PROPOSED SIGNAL MODIFICATION AT INTERSECTION OF ROUTE
	106 C501	13/MILITARY HIGHWAY AND ROUTE I-64 WB OFF RAMP (EXIT 297)
	0013-131-	
	111 C501	
A1521	0013-064-	NORFOLK COUNTY: FR 1.678 MI E RT 58 AT BOWERS HILL TO INT RT 27
	111 5a12	NORTH COUNTY OF THE PERSON OF THE PARTY OF T
A1845	0013-006-	NORFOLK COUNTY: FR INT RT 58 NEAR BOWERS HILL TO 1.679 MI E INT RT
	000-1115	<u>58</u>
	cde	
A24523	0664-131-	FR: 0.68 MI N RTE 58 (WBL) TO 0.44 MI S RTE 58 (WBL) BOWERS HILL
	101 C501	<u>INTERCHANGE PHASE II</u>

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	7013-131-	ROUTE 13 (MILITARY HIGHWAY) FR: 0.417 MILE WEST OF GILMERTON
	V03 C501	BRIDGE TO: 0.356 MILE EAST OF GILMERTON BRIDGE
FILE	PROJ#	PROJECT DESCRIPTION
A5640	0013-064-	NORFOLK CO: FR: 0.255 MI E OF INT RTE 58 NEAR BOWERS HILL TO 7.254 MI
	003	E OF INT RTE 58
	1664-08	
		FR: 5.277 MI E OF INT RTE 58 NEAR BOWERS HILL TO 5.945 MI E OF INT RTE
	0017-064-	58 BROADMOOR
	002	DESCRIPTION AS PART OF THE SAME PROJECT WITH NEW NUMBER
(4)	2064-05	
	1664-11	SPEC DES OVERPASS RT 17 OVER RTE 13
		FR: 6.277 MI E OF INT RTE 58 TO: 6.419 MI É OF INT RTE 58 (RIGHT AND LEFT
	F-024-4(1)/	TURNING LANES)
	1664-12	FR: 4.572 MI E OF INT RTE 58 NEAR BOWERS HILL TO 5.277 MI E OF INT RTE
		58
	1664-15	FR: 5.077 MI E OF INT RTE 58 NEAR POWERS HILL TO 5.421 MI E OF INT RTE
		58 NEAR MOWERS HILL
A6137	001-064-	NORFOLK CO: LEFT TURN LANES AT INTERSECTIONS OF ROUTES 13 & 196
	013	AND 13 & 644
	1664-13	FR: 0.071 MI W INT RTE 13 & 196 TO 0.074 MI E INT RTE 13 & 196
	1664-14	FR: 0.676 MI W INT RTE 13 & 170 TO: 0.527 MI W INT RTE 13 & 170
A6551	0013-064-	NORFOLK COUNTY FLASHING LIGHT SIGNAL N & P BELT LINE RR NEAR
1.0000	103 F701	GILMERTON
A6563	0013-064-	NORFOLK COUNTY FR: 0.151 MI N OF INT RTE 13 TO 0.152? MI S OF INT RTE
	002	<u>13</u>
A 7026	2064-02	ED O 020 AM ALMINITERSECTION RIFE CA TO: 0 402 AM COUTTLE OF RARY AVE
A7926	0464-131-	FR 0.929 MI N INTERSECTION RTE 64 TO: 0.183 MI SOUTH OF PARK AVE
40224	101 RW202 6013-131-	FR: 2.962 MI W OF W.C.L. OF CHESAPEAKE TO: 1.592 MI E OF E.C.L. OF
A9331	101	NANSEMOND
A 71017	6013-131-	FR: 1.592 MI E OF E.C.L. OF SUFFOLK TO: 0.328 MI E INT RTE 264 & EXIST RTE
A21012	102	13 (BOWERS HILL INTERCHANGE)
	102	13 (BOWERS FILL INTERCHANGE)

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RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO CONVEY ITS INTEREST IN A PORTION OF U.S. ROUTE 13, MILITARY HIGHWAY, FROM 0.225 MILES EAST OF THE INTERSECTION OF ROUTE 58 TO 7.254 MILES EAST OF THE INTERSECTION OF ROUTE 58 TO THE CITY OF CHESAPEAKE.

WHEREAS, Section 33.1-89 of the Code of Virginia provides that whenever the Commissioner of Transportation for the Commonwealth of Virginia has acquired property for road projects pursuant to a request of the municipality, the Commissioner is authorized to convey all title and interest so acquired to the municipality in accordance with the terms of agreement between the Commonwealth and the municipality, which includes the property used for the road projects; and,

WHEREAS, the Virginia Department of Transportation previously completed State Project 1664-15 (Construction), 1664-03, 2064-02-05, and 0017-0064-002, which provided improvements to the intersection of U.S. Route 13, Military Highway, and U.S. Route 17.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia, that it hereby requests the Virginia Department of Transportation to convey to the City of Chesapeake all title and interest which the Commonwealth may have in the portion of Route 13, Military Highway, State Project 1664-15 (Construction), 1664-03, 2064-02-05 (Original Project 115A-1A-1S, A-1W), Old LA 1115, and State Project 0017-0064-002, from 0.225 miles east of the intersection of Route 58 to 7.254 miles east of the intersection of Route 58, as depicted on Exhibit A.

City Attorney's Office City of Chesapeake Municipal Center 306 Cedar Road Chesapeake, Virginia 23322 (757) 382-6586 Fax (757) 382-8749

ADOPTED by the Council of the City of Chesapeake, Virginia, this 26th day of January , 2010.

APPROVED:

ATTEST:

Benerly & Pander Chief Reporty
Clerk of the Journal

City Attorney's Office City of Chesapeake Municipal Center 306 Cedar Road Chesopeake Virginia 23322 (757) 382-6586 Fax (757) 382-8749

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77777	101 C501	INTERCHANGE PHASE II
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A0137	013	AND 13 & 644
	1664-13	FR: 0.071 MI W INT RTE 13 & 196 TO 0.074 MI E INT RTE 13 & 196
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	2064-02	
A7926	0464-131-	FR 0.929 MI N INTERSECTION RTE 64 TO: 0.183 MI SOUTH OF PARK AVE
	101 RW202	
A9331	6013-131-	FR: 2.962 MI W OF W.C.L. OF CHESAPEAKE TO: 1.592 MI E OF E.C.L. OF
	101	NANSEMOND
A21012	6013-131-	FR: 1.592 MI E OF E.C.L. OF SUFFOLK TO: 0.328 MI E INT RTE 264 & EXIST RTE
	102	13 (BOWERS HILL INTERCHANGE)

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DEPARTMENT OF HIGHWAYS

PLAN AND PROFILE OF PROPOSED

CROSS SECTIONS

FROM 1137 MI. E. OF INT. RT.58 NEAR BOWERS HILL TO 1.670 MI.E. OF INT. RT.58

FROM 1679 MI.E. OF INT. RT. 58 TO 0.707 MI.W. OF INT. RT. 27

FROM 0.540 MI.W. OF INT. RT. 27 TO INT. RT. 27

FROM 1.187 MI. E. OF INT. RT. 58 NEAR BOWERS HILL TO INT. RT. 27 STATE HIGHWAY







