



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item # 3

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 20, 2008

MOTION

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

Title: Land Transfer – Portion of Coeburn Area Headquarters – Wise County

WHEREAS, by Agreement dated May 25, 1984 and recorded in Book 602, Page 745 of the Circuit Court of Wise County, the Commonwealth of Virginia is the owner of a certain tract of land located at 3701 Dungannon Road, Coeburn, Virginia 24230 in Wise County, Virginia containing approximately 8.040 acres, more or less, with all improvements thereon and all and singular the rights and appurtenances pertaining thereto (the “Property”); and

WHEREAS, the Commonwealth of Virginia, Department of Transportation (the “Department”) is the Commonwealth agency in possession of the Property; and

WHEREAS, the Department of Corrections has indicated a desire to obtain approximately 1.619 acres of the Property, which 1.619 acres lie at the southern end of the Property and are shown as “Parcel A” on a plat dated January 24, 2007 and sealed February 19, 2007 prepared by Draper Aden Associates and entitled, “Lot Line Revision Plat, Commonwealth of Virginia Properties, Department of Highways and Transportation, and Department of Corrections – Correctional Unit 18, Wise County, Virginia”; and

WHEREAS, the Department has no future plans to utilize “Parcel A” and wishes to designate this portion of the Property as surplus property and transfer this portion of the Property to the Department of Corrections; and

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WHEREAS, Section 2.2-1150 of the Code of Virginia provides that, when it is deemed to be in the public interest, property owned by the Commonwealth of Virginia and held in the possession of a department, agency or institution of the Commonwealth may be transferred to the possession of another department, agency or institution of the Commonwealth; and

WHEREAS, Section 2.2-1153 of the Code of Virginia provides that the cognizant board or the governing body of a department or agency that possesses the surplus property “shall approve, in writing, the designation of the property as surplus”; and

WHEREAS, Section 4-509(b) of Chapter 847 of the 2007 Acts of Assembly, provides that the cognizant board or governing body of an agency shall approve the proposed conveyance of surplus real property,

NOW, THEREFORE, the Board does hereby declare the 1.619-acre portion of the Property, shown as “Parcel A” on the aforementioned plat, to be surplus to the needs of the Department and hereby approves the designation of the 1.619 acres as “surplus”. In addition, in accordance with the provisions of Section 4-5.09 (b) of Chapter 847 of the 2007 Acts of Assembly, the conveyance of the 1.619 acres is approved, and the Department of Transportation is hereby authorized to transfer this portion of the Property to the Department of Corrections pursuant to the Code of Virginia and with the approval of the Governor or his designated representative.

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