



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #6-C

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 21, 2009

MOTION

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

Title: Land Conveyance, Route 19, Tazewell County

WHEREAS, in connection with Route 11, State Highway Project 271AC, the Commonwealth acquired certain land from John I. DeBord, by deed dated November 5, 1928, recorded in Deed Book 112, Page 119, in the Office of the Clerk of the Circuit Court of Tazewell County; and

WHEREAS, in connection with Route 11, State Highway Project 271-A, the Commonwealth acquired certain land from A. P. Lester, single, by deed dated May 21, 1929, recorded in Deed Book 112, Page 356; and from Amanda Lester, widow, et al., by deed dated May 21, 1929, recorded in Deed Book 112, Page 354, both recorded in the Office of the Clerk of the Circuit Court of Tazewell County; and

WHEREAS, in connection with Route 19, State Highway Project 6019-092-108, RW-201, the Commonwealth acquired certain land from Rex Lester, widower, et al., by instrument dated December 7, 1977, recorded in Deed Book 440, Page 127, and concluded by order dated March 6, 1986, recorded in Deed Book 543, Page 621, both recorded in the Office of the Clerk of the Circuit Court of Tazewell County; and

WHEREAS, portions of Route 11 were subsequently renumbered to Route 19; and

WHEREAS, a section of old Route 19 is no longer necessary as a public road since the new location of Route 19 serves the same citizens as the old location; and

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WHEREAS, in accordance with Section 33.1-148 of the *Code of Virginia* (1950), as amended, the Commonwealth Transportation Board at its meeting held March 19, 2009, abandoned a section of old Route 19; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 2.03 acres, more or less, and lying southeast of and adjacent to the southeast revised proposed right of way line of Route 19 from a point approximately 126 feet opposite approximate Station 278+15 (Route 19 northbound lane centerline) to a point 114.71 feet opposite Station 286+72.24 (Route 19 northbound lane centerline) 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

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

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