



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #8-E

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 16, 2009

MOTION

Made By: Mr. Davies, Seconded By: Mr. Koelemay,
Motion Carried, Unanimously

Title: Easement Conveyance, Route 671, Albemarle County

WHEREAS, in connection with Route 671, State Highway Project 1302-10-15, the Commonwealth acquired certain land from C. M. Sprouse, single, et al., by deed dated January 12, 1954, recorded in Deed Book 311, Page 359, in the Office of the Clerk of the Circuit Court of Albemarle County; and

WHEREAS, in connection with the relocation of Route 671, State Highway Project 0671-002-191, C-501, the Commonwealth acquired certain lands and open-space easements from Charles Wilson McNeeley, IV and the Virginia Outdoors Foundation by deed dated June 22, 1995, recorded in Deed Book 1498, Page 655; Jasper P. Davis, Jr., et al. and the Virginia Outdoors Foundation by deed dated June 22, 1995, recorded in Deed Book 1509, Page 61; and Charlotte D. Buttrick and Virginia Outdoors Foundation by deed dated June 22, 1995, recorded in Deed Book 1498, Page, 650, all recorded in the Office of the Clerk of the Circuit Court of Albemarle County; and

WHEREAS, a section of old Route 671 is no longer necessary as a public road since the new location of Route 671 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33.1-155 of the *Code of Virginia* (1950), as amended, a section of old Route 671 was abandoned by the Board of Supervisors of Albemarle County by resolution dated June 3, 1998; and

WHEREAS, in accordance with the requirements of Section 10.1-1704 of the *Code of Virginia* (1950), as amended, substitution of other real property for use as permanent open-space land is required; and

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WHEREAS, by Agreements dated July 31, 1995, the Commonwealth of Virginia, Virginia Department of Transportation and the Virginia Outdoors Foundation agreed that a portion of the aforesaid property acquired from C. M. Sprouse, single, et al., is to be utilized to comply with the aforesaid *Code of Virginia* (1950) requiring replacement of the permanent open space land, as amended; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the easement containing 0.210 acre, more or less, and lying southeast of and adjacent to the southeast revised existing right of way line of Relocated Route 671 from a point approximately 20 feet opposite approximate Station 66+44 (Relocated Route 671 construction centerline) to a point approximately 20 feet opposite approximate Station 67+80 (Relocated Route 671 construction centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways; and

WHEREAS, this conveyance is to be made in accordance and compliance with the provisions and notice requirements of Sections 33.1-154 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended; and

NOW, THEREFORE, BE IT RESOLVED, in accordance and compliance with the provisions and notice requirements of Sections 33.1-154 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended, the conveyance of the said easement, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute, in the name of the Commonwealth, a deed conveying the easement 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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