



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #5-B

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 17, 2009

MOTION

Made By:Mr. Layne Seconded By: Mr. Dickens Action: Motion Carried, Unanimously

Title: Surplus Land Conveyance, Route 658, Route 199, James City County

WHEREAS, in connection with Route 658, Budget Number 0658-5605-002, the Commonwealth acquired certain land from the King and Queen Corporation, by deed dated May 21, 1974, recorded in Deed Book 154, Page 400, in the Office of the Clerk of the Circuit Court of James City County; and

WHEREAS, a section of old Route 658 is no longer necessary as a public road since the new location of relocated Route 658 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 658 was abandoned by the Board of Supervisors of James City County by resolution dated September 22, 2009; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.558 acre, more or less, and lying east of and adjacent to the east revised proposed right of way of relocated Route 658 as shown on the plans for the State Highway Project 0199-047-F03, RW-204, from a point approximately 82 feet opposite approximate Station 31+85 (Relocated Route 658 centerline) to a point approximately 52 feet opposite Station 37+95.74 (Relocated Route 658 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

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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 33.1-154 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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