



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairman

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Agenda item #4-A

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 8, 2010

MOTION

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

**Title: Surplus Land Conveyance, Hamilton Boulevard (formerly Cavalier Boulevard),
Route 728 (College Street), Town of South Boston**

WHEREAS, in connection with Route 304, State Highway Project 1163-C, the Commonwealth acquired certain land from E. F. Walker, et al., by Deed dated August 3, 1938, recorded in Deed Book 157, Page 466, in the Office of the Clerk of the Circuit Court of Halifax County; and

WHEREAS, in connection with Route 304, State Highway Project 0304-041-002, C-1, RW-1, the Commonwealth acquired certain lands from R. M. Felton, Sr., et al., by Deed dated September 4, 1964, recorded in Deed Book 314, Page 607; and L. P. Perkins, et al., by Deed dated September 8, 1960, recorded in Deed Book 287, Page 510; and Gertrude P. Lloyd Nichols, by Deed dated August 3, 1960, recorded in Deed Book 287, Page 386; and the Heirs at Law of Isaac Guthrie, deceased, by Instrument dated September 23, 1960, recorded in Deed Book 292, Page 466, concluded by Final Order Confirming Title, dated May 6, 1961, recorded in Deed Book 292, Page 390; and Mary E. Palmer, widow, by Deed dated July 19, 1960, recorded in Deed Book 287, Page 518, all recorded in the Office of the Clerk of the Circuit Court of Halifax County; and

WHEREAS, Route 304 was subsequently renumbered to Route 360; and

WHEREAS, effective December 31, 1964 the City of South Boston was annexed from the County of Halifax by Order of Annexation dated December 21, 1963; and

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WHEREAS, in connection with Cavalier Boulevard, State Highway Project U000-130-101, RW-201, the Commonwealth acquired certain land from William Aaron Throckmorton, et al., by Instrument dated October 12, 1983, recorded in Deed Book 471, Page 623, concluded by Order dated July 13, 1984, recorded in Deed Book 479, Page 423; and Dodson Hill Felton, et al., by Deed dated January 9, 1984, recorded in Deed Book 475, Page 347; and Lillian E. Perkins, widow, et al., by Deed dated November 3, 1983, recorded in Deed Book 473, Page 614, all recorded in the Office of the Clerk of the Circuit Court of Halifax County; and

WHEREAS, a section of Route 728 (College Street) is no longer necessary as a public road since the new location of Cavalier Boulevard serves the same citizens as the old location; and

WHEREAS, Cavalier Boulevard was subsequently renamed as Hamilton Boulevard; and

WHEREAS, effective June 30, 1995, South Boston transitioned from City status to Town status by Order dated December 30, 1994; and

WHEREAS, in accordance with Section 15.2-2006 of the *Code of Virginia* (1950), as amended, a section of Route 728 (College Street) was abandoned by the South Boston Town Council by ordinance dated July 12, 2010, recorded in Deed Book 1071, Page 647, in the Office of the Clerk of the Circuit Court of Halifax County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.957 acre, more or less, as shown on the plans for Cavalier Boulevard, State Highway Project U000-130-101, RW-201, and lying southwest of and adjacent to the southwest revised existing and proposed right of way line (12/08/10) of Hamilton Boulevard from a point approximately 54 feet opposite approximate Station 19+10 (Route 728 [College Street] office revised centerline) to a point approximately 40 feet opposite approximate Station 112+27 (Hamilton Boulevard survey 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 or the State Highway System; and

WHEREAS, the Town of South Boston has requested that the surplus land be conveyed.

WHEREAS, this conveyance is to be made in accordance and compliance with the provisions and notice requirements of Sections 33.1-154, 33.1-149 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended; and

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NOW, THEREFORE, BE IT RESOLVED, in accordance and compliance with the provisions and notice requirements of Sections 33.1-154, 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 and Utilities Division, subject to such restrictions as may be deemed appropriate.

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