



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda item #5-A

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 20, 2010

MOTION

Made By: Mrs. Carter Seconded By: Mr. White Action: Motion Carried, Unanimously

Title: Land Conveyance, Route 15 and Route 1007, Fluvanna County

WHEREAS, in connection with Route 32, State Highway Project 493, the Commonwealth acquired certain land from W. W. Wills, et al., by Deed dated May 15, 1928, recorded in Deed Book 17, Page 402; S. P. Harland, et al., by Deed dated December 10, 1928, recorded in Deed Book 18, Page 85; and L. E. Minter, et al., by Deed dated March 14, 1930, recorded in Deed Book 19, Page 161, all recorded in the Office of the Clerk of the Circuit Court of Fluvanna County; and

WHEREAS, portions of Route 32 were subsequently renumbered to Route 15; and

WHEREAS, in connection with Route 1007, the Commonwealth acquired certain land from George W. Waddill, et al., by Deed dated October 7, 1963, recorded in Deed Book 63, Page 445, in the Office of the Clerk of the Circuit Court of Fluvanna County; and

WHEREAS, in connection with Route 15, State Highway Project 0015-032-V04, RW-201, the Commonwealth acquired certain land from Alice H. Clifford, Trustee of Alice H. Clifford Revocable Trust u/a, by Instrument dated November 19, 2003, recorded in Deed Book 561, Page 896, concluded by Order dated February 2, 2006, recorded in Deed Book 796, Page 111; and John C. Zehler, Jr., et al., by Instrument dated March 8, 2004, recorded in Deed Book 570, Page 120, concluded by Order Confirming Juror's Report dated October 15, 2007, recorded in Deed Book 748, Page 985, all recorded in the Office of the Clerk of the Circuit Court of Fluvanna County; and

WHEREAS, a section of Route 1007 is no longer necessary as a public road since the new location of Route 1001 serves the same citizens as the old location of Route 1007; and

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WHEREAS, in accordance with Section 33.1-155 of the *Code of Virginia* (1950), as amended, a section of Route 1007 was abandoned by the Board of Supervisors of Fluvanna County by resolution dated June 4, 2008; and

WHEREAS, a section of old Route 15 is no longer necessary as a public road since the new location of Route 15 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33.1-148 of the *Code of Virginia* (1950), as amended, the Commonwealth Transportation Board at its meeting held October 16, 2008, abandoned a section of old Route 15; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.676 acre, more or less, as shown on the plans for State Highway Project 0015-031-V04, RW-201, lying in the northeast quadrant of the intersection of Route 15, Route 1001 and Route 1007, adjacent to the west revised existing right of way line of Route 15 and the east revised proposed right of way line of Route 1001, from a point approximately 25 feet opposite approximate Station 30+89 (Route 1001 construction centerline) to a point approximately 40 feet opposite approximate Station 109+24 (Route 15 construction 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 or 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 33.1-149, 33.1-154 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended; and

WHEREAS, the Department has received a resolution from Fluvanna County, dated December 19, 2007, requesting the surplus land be conveyed for beautification purposes, to create an aesthetically pleasing connectivity between the new bridge and entrances to the Mill Park and Heritage Rail Trail; and

NOW, THEREFORE, BE IT RESOLVED, in accordance and compliance with the provisions and notice requirements of Sections 33.1-149, 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 to Fluvanna County 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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