



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda item #10-A

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 14, 2010

MOTION

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

Title: Surplus Land Conveyance, Route 58, Route 655, Wise County

WHEREAS, in connection with Route 70, State Highway Project 94-BR-3, the Commonwealth acquired certain land from Virginia Iron, Coal and Coke Company of Wise County, Virginia, by Deed dated February 3, 1948, recorded in Deed Book 278, Page 370, in the Office of the Clerk of the Circuit Court of Wise County; and

WHEREAS, in connection with Route 58, State Highway Project 6058-097-109, RW-203, the Commonwealth acquired certain land from Virginia Iron, Coal and Coke Company, by Deed dated January 3, 1972, recorded in Deed Book 442, Page 169, in the Office of the Clerk of the Circuit Court of Wise County; and

WHEREAS, sections of old Route 70 and old Route 655 are no longer necessary as a public roads since the new locations of Route 70 and Route 655 serve the same citizens as the old locations; and

WHEREAS, in accordance with Chapter 212, Section 1 of the Acts of Assembly of 1926, predecessor of Section 33.1-148 of the Code of Virginia (1950), as amended, the State Highway Commission, predecessor to the Commonwealth Transportation Board at its meeting held November 12, 1948, abandoned sections of old Route 70;

WHEREAS, a section of old Route 655 was abandoned by the Board of Supervisors of the County of Wise by resolution dated May 11, 1948; and

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WHEREAS, Route 70 was subsequently renumbered to Route 58; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 1.065 acres, more or less, as shown on the plans for Route 58, State Highway Project 6058-097-109, RW-203, and lying northeast of and adjacent to the northeast revised proposed right of way line (07/14/2010) of Route 58 from a point approximately 60 feet opposite approximate Station 613+90 (Route 58 WBL centerline) to a point approximately 25 feet opposite approximate Station 12+00 (Route 655 office revised centerline) portions of which were acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 58 and do not constitute a section of the public road and are deemed by him no longer necessary for the uses of the State Highway System and 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 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, 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 and Utilities Division, subject to such restrictions as may be deemed appropriate.

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