



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Aubrey L. Layne, Jr.  
Chairman

1401 East Broad Street  
Richmond, Virginia 23219

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

*Agenda item # 3*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 16, 2017

#### MOTION

**Made By: Mr. Malbon, Seconded By: Mr. Williams**  
**Action: Motion Carried, Unanimously**

**Title: Locality Land Conveyance, Route 610 (Briarfield Road),  
City of Hampton**

**WHEREAS**, Section 33.2-913 of the *Code of Virginia* allows the Commonwealth Transportation Board to transfer (convey) to the locality, upon petition of the said locality's governing body, real estate acquired incidental to the construction, reconstruction, alteration, maintenance or repair of the Secondary State Highway System, which constitutes a section of public road, and upon such transfer, such section of road shall cease, if required, being a part of the Secondary System of State Highways; and

**WHEREAS**, the City of Hampton has requested by resolution, the conveyance of the real estate for a portion of Route 610 (Briarfield Road), acquired as a part of Route 610, Project 0610-027-1421L; and

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the provisions of Section 33.2-913 of the *Code of Virginia* said conveyance of the said real estate is approved as set forth and upon conveyance, the roads shall no longer be a part of the Secondary System of State Highways, and the Commissioner of Highways is hereby authorized to execute, in the name of the Commonwealth, a deed or deeds conveying the real estate subject to such restrictions as may be deemed appropriate.

#####

**CTB Decision Brief**  
**Locality Land Conveyance**  
**Route 610 (Briarfield Road)**  
**Project 0610-027-1421L**  
**City of Hampton**

**Issue:** Section 33.2-913 of the *Code of Virginia* allows the Commonwealth Transportation Board to transfer (convey) to the locality, upon petition of the said locality's governing body, real estate acquired incidental to the construction, reconstruction, alteration, maintenance or repair of the Secondary System of State Highways, which constitutes a section of public road, and upon such transfer, such section of road shall cease, if required, being a part of the Secondary System of State Highways.

**Facts:** The City of Hampton has petitioned by resolution, for the transfer and conveyance of the right of way for Route 610 (Briarfield Road) acquired and constructed as a part of Route 610, Project 0610-027-1421L.

This proposed conveyance has been reviewed and approved by the Director of Right of Way and Utilities.

**Recommendations:** VDOT recommends that the land be conveyed to the City of Hampton for public street purposes.

**Action Required by CTB:** The *Code of Virginia* requires a majority vote of the Commonwealth Transportation Board (CTB) authorizing the Commissioner of Highways to execute the deed. The CTB will be presented with a resolution for a formal vote.

**Result, if Approved:** If said resolution is approved, the Commissioner of Highways will be authorized to execute a deed to convey the property.

**Options:** Approve, Deny, or Defer

**Public Comments/Reactions:** None



# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
www.hampton.gov

## Official Record

Resolution: 16-0324

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File Number: 16-0324

Resolution Authorizing a Petition to the Commonwealth Transportation Board to Transfer Certain Real Property Acquired for the Construction of Briarfield Road to the City of Hampton Pursuant to Virginia Code §§ 33.2-1001 and 33.2-907

**WHEREAS**, in the normal course of right-of-way construction administered by the Virginia Department of Transportation ("VDOT"), the Commonwealth of Virginia (the "Commonwealth") transfers real property of right-of-way projects to the localities upon completion of the projects;

**WHEREAS**, the Commonwealth acquired parcels of real estate for the construction, reconstruction, alteration, maintenance, or repair of Briarfield Road, from the Newport News City Line to Aberdeen Road, entitled "Elizabeth City County, Briarfield Road - From Warwick-Elizabeth City County Line to 0.019 Mi. W. of Int. Rte. 661 (Aberdeen Road)" (the "Project") located in the City of Hampton, Virginia (the "City");

**WHEREAS**, particulars of the Project include:

Commonwealth Project No.: 0610-027-1421 L  
Year Acquired: 1947  
Number of Parcels Acquired: 25  
Net Length: 10,620 feet (2.0114 miles), more or less;

**WHEREAS**, all aspects of the construction, reconstruction, alteration, maintenance, and/or repair of the Project are complete, and title to the real property encompassed by the Project remains vested in the Commonwealth;

**WHEREAS**, the Project constitutes a section of public roadway and related residual areas acquired, and the City maintains the right of way included in the Project;

**WHEREAS**, in or around 2012, staff became aware that title to a number of parcels of property acquired incidental to the right-of-way projects administered by VDOT, which constitute a section of public roadway, were not transferred to the City in the normal course, including the Project;

**WHEREAS**, the City Council, believing it is in the best interest of the City for title to the right of way acquired in connection with the Project be transferred to the City, petitions the Commonwealth to transfer the real property of the Project to the City pursuant to §§33.2-1001 and 33.2-907 of the Code of Virginia, 1950, as amended.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRGINIA:**

1. That the City Council of Hampton petitions the Commonwealth Transportation Board, pursuant to §§ 33.2-1001 and 33.2-907 of the Code of Virginia, 1950, as amended, to transfer all real estate, property, and interests comprising the right of way acquired incidental to the construction, reconstruction, alteration, maintenance, or repair of the Project, to the City of Hampton, to take such other action as necessary to complete the conveyance of title for the real property comprising the right of way to the City of Hampton, and upon transfer, such real property shall cease being a part of the State Highway System.
  
2. That the City Manager, or her authorized designee, is authorized to execute any and all documents to complete the conveyance of title to the right of way for the Project from the Commonwealth to the City, so long as the documents contain such terms, conditions, and modification as may be acceptable to the City Manager and in a form deemed satisfactory the City Attorney.

approved by the Hampton City Council on 9/28/2016.

**Aye:** 6 Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Schmidt and Mayor Tuck

**Signed by:**  **Date** SEP 28 2016  
Donnie R. Tuck

**Attested by:**  **Date** SEP 28 2016  
Katherine K. Glass



COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HIGHWAYS

FED. ROAD DIST. NO.	STATE	FEDERAL AID		STATE		SHEET NO.	TOTAL SHEETS
		ROUTE	PROJECT	ROUTE	PROJECT		
14	VA.	DA-NR-53A(1)	610	1421L	1	6	

INDEX OF SHEETS

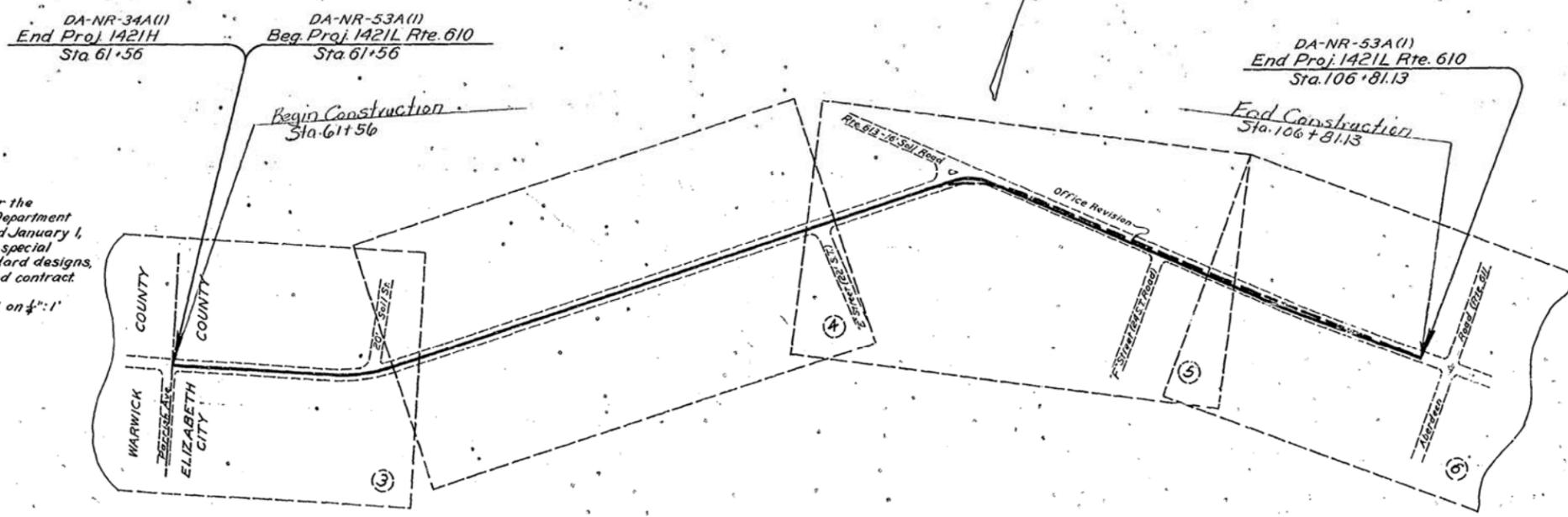
SHEET NO.	Title Sheet	Station	to Station
1	Summary Sheet	-	-
2	Plan & Profile	61+56	70+00
3	"	69+00	85+00
4	"	84+00	100+00
5	"	99+00	106+81.13
6	"	-	-

9 Sheets Cross Sections

CROSS SECTIONS DESTROYED 1964

PLAN AND PROFILE OF PROPOSED  
STATE HIGHWAY  
ELIZABETH CITY COUNTY  
BRIARFIELD ROAD-FROM WARWICK-ELIZABETH CITY COUNTY LINE  
TO 0.019 MI. W. OF INT. RTE. 611 (ABERDEEN ROAD)

SCALES: (PLAN, 1 IN. = 50 FT., PROFILE, HOR. 1 IN. = 50 FT., VERT., 1 IN. = 10 FT., LAYOUT, 1 in. = 250 Ft.)



NOTE  
This project is to be constructed under the Standard Specifications of the Virginia Department of Highways, Road Specifications, dated January 1, 1938, and additional specifications and special provisions, if any, and special or standard designs, as provided in the bidding proposal and contract.  
All curves are to be super-elevated on 1/4" : 1' slope without being widened.

CONVENTIONAL SIGNS

STATE LINE	LEVEE OR EMBANKMENT	
COUNTY LINE	BRIDGES	
CITY, TOWN OR VILLAGE	CULVERTS	
RIGHT OF WAY LINE	DROP INLET	
FENCE LINE	TROLLEY POLES	
UNFENCED PROPERTY LINE	POWER POLES	
FENCED PROPERTY LINE	TELEPHONE OR TELEGRAPH POLES	
TRAVELED WAY	MARSH	
GUARD RAIL	HEDGE	
RETAINING WALL	WOODS	
RAILROADS	GROUND ELEVATION	
BASE OR SURVEY LINE	GRADE ELEVATION	
	POLES WITHIN CONSTRUCTION LIMITS	

Equalities: None  
Net length: 4525.13 Ft. = 0.857 Mi.

APPROVED Aug. 16, 1943  
E. S. Muller  
CHIEF ENGINEER  
DEPARTMENT OF HIGHWAYS

EXAMINED AND RECOMMENDED FOR APPROVAL  
SENIOR HIGHWAY ENGINEER  
PUBLIC ROADS ADMINISTRATION  
FEDERAL WORKS AGENCY

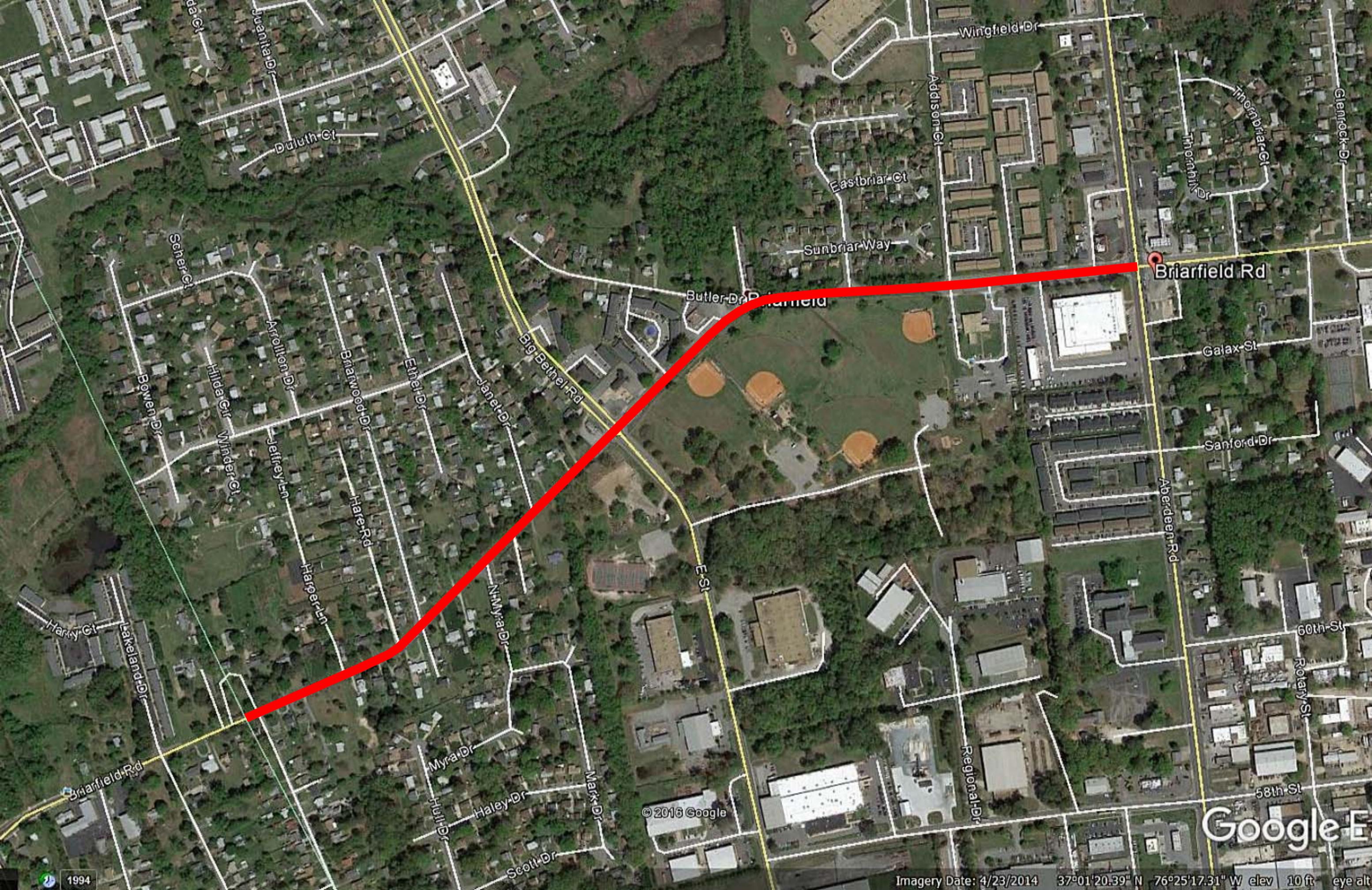
RECOMMENDED FOR APPROVAL  
DISTRICT ENGINEER  
PUBLIC ROADS ADMINISTRATION  
FEDERAL WORKS AGENCY

APPROVED  
COMMISSIONER  
PUBLIC ROADS ADMINISTRATION  
FEDERAL WORKS AGENCY

A 2571-1 7-138-9

A 2571-1 7-138-9

DESIGNED BY D. T. FRANCIS-R.G. CHL. J. REVISED BY



Map labels include:  
Wingfield-Dr  
Addison-Ct  
Eastbriar-Ct  
Sunbriar-Way  
Butler-Dr  
Big Bethel Rd  
Janet-Dr  
Ether-Dr  
Hare-Rd  
Harper-Ln  
N-Myra-Dr  
Myra-Dr  
Hull-Dr  
Haley-Dr  
Mark-Dr  
Scott-Dr  
Regional-Dr  
Aberdeen-Rd  
60th-St  
Rotary-St  
58th-St  
Briarfield Rd  
Galax-St  
Sanford-Dr  
Duluth-Ct  
Juanita-Dr  
Seth-Ct  
Bowen-Dr  
Hilpe-Ct  
Winder-Ct  
Jeffrey-Ln  
Blairwood-Dr  
Hare-Rd  
Harper-Ln  
Harky-Ct  
Lakeland-Dr  
E-St  
1994  
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Imagery Date: 4/23/2014  
37°01'20.39" N 76°25'17.31" W elev 10ft eye alt