



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 #5-A

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2010

MOTION

Made By: Mr. Koelemay Seconded By: Ms. Pandak Action: Motion Carried, Unanimously

Title: Surplus Land Conveyance, Route 50, Fauquier and Loudoun Counties

WHEREAS, the Commonwealth is the apparent owner of right of way for old Route 50 (Ashby's Gap Turnpike) in Fauquier and Loudoun Counties; and

WHEREAS, a section of old Route 50 (Ashby's Gap Turnpike) is no longer necessary as a public road since the new location of Route 50 serves the same citizens as the old location; and

WHEREAS, in accordance with Sections 33-76.1 and 33-76.5 and of the *Code of Virginia* (1950), as amended, the State Highway Commission of Virginia, predecessor to the Commonwealth Transportation Board, at its meeting held January 17, 1957, discontinued and abandoned sections of old Route 50 (Ashby's Gap Turnpike); and

WHEREAS, in accordance with Section 33.1-145 of the *Code of Virginia* (1950), as amended, the Commonwealth Transportation Board at its meeting held February 17, 2010, abandoned a section of old Route 50 that had previously been discontinued; and

WHEREAS, the Acting Commonwealth Transportation Commissioner has certified in writing that the land containing approximately 4.07 acres, more or less, and lying north of and adjacent to the north proposed right of way line of Route 50 (John Mosby Highway), and being the land between the left and right limits of the right of way for old Route 50 (Ashby's Gap Turnpike), as shown on the plans for State Highway Projects 1930-01-03-04, from a point approximately 85 feet opposite approximate Station 9+35 (Route 624 right centerline) to a point approximately 55 feet opposite approximate Station 242+60 (Route 50 baseline) does not

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constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System; and

WHEREAS, Route 624 on the north side of Route 50 (John Mosby Highway), was subsequently renumbered to Route 832; and

WHEREAS, this conveyance is to be made in accordance and compliance with the provisions and notice requirements of Sections 33.1-149 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 and the Department has determined that any remaining portion of the abandoned of old Route 50 (Ashby's Gap Turnpike) should be approved for conveyance.

NOW, THEREFORE, BE IT RESOLVED, in accordance and compliance with the provisions and notice requirements of Sections 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 Acting Commonwealth Transportation Commissioner is hereby authorized to execute deeds, in the name of the Commonwealth, conveying the land for consideration satisfactory to the State Director, Right of Way Division, subject to such restrictions as may be deemed appropriate.

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