



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #6-A

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 21, 2009

MOTION

Made By: Mr. Dickens Seconded By: Mr. Witt Action: Motion Carried, Unanimously

Title: Land Conveyance, Interstate 64, City of Chesapeake

WHEREAS, in connection with Interstate 64, State Highway Project 0064-131-F11, RW-202, the Commonwealth acquired certain land from Wal-Mart Stores, Inc., a Delaware Corporation, by instrument dated May 16, 2000, recorded in Deed Book 4095, Page 36, and concluded by order dated October 17, 2004, recorded in Deed Book 5735, Page 615, both recorded in the Office of the Clerk of the Circuit Court of City of Chesapeake; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.195 acre, more or less, and lying southeast of and adjacent to the southeast revised proposed right of way line of Interstate 64 from a point approximately 40 feet opposite approximate Station 17+81 (Interstate 64 Ramp A centerline) to a point approximately 40 feet opposite approximate Station 18+34 (Interstate 64 Ramp A centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Interstate 64 and does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Interstate Highway System; 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.

WHEREAS, Section 33.1-49 of the *Code of Virginia* (1950) grants the Commonwealth Transportation Board the authority and power relative to the Interstate System as is vested in it relative to highways in the primary system; and

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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 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 Division, subject to such restrictions as may be deemed appropriate.

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