



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda item #6-B

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 21, 2009

MOTION

Made By: Mr. Martin Seconded By: Mr. Bowie Action: Motion Carried, Unanimously

Title: Easement Conveyance, Interstate 77, Carroll County

WHEREAS, in connection with Interstate 77, State Highway Project 0077-017-102, RW-203, the Commonwealth acquired certain easements from James M. Martin, et al., by instrument dated September 14, 1970, recorded in Deed Book 184, Page 63, and concluded by order dated December 3, 1970, recorded in Deed Book 186, Page 318; John Campbell Findlay, et al., by instrument dated September 14, 1970, recorded in Deed Book 184, Page 61, and concluded by order dated December 3, 1970, recorded in Deed Book 186, Page 149; Ted Snow, et al., by deed dated October 13, 1970, recorded in Deed Book 186, Page 474; and Posey W. Snow, et al., by deed dated October 16, 1970, recorded in Deed Book 185, Page 204, all recorded in the Office of the Clerk of the Circuit Court of Carroll County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the easements containing 3.07 acres, more or less, and lying west of and adjacent to the west proposed right of way line and limited access line of Interstate 77 from a point approximately 225 feet opposite approximate Station 525+23 (Interstate 77 northbound lane centerline) to a point approximately 350 feet opposite approximate Station 537+50 (Interstate 77 southbound lane centerline) were acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Interstate 77 and do not constitute a section of the public road and are 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 underlying fee landowner has requested that the easements be conveyed.

Resolution of the Board
Conveyance – Interstate 77
Carroll County
May 21, 2009
Page Two

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

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 easements, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute, in the name of the Commonwealth, a deed conveying the easements for a consideration satisfactory to the State Director, Right of Way Division, subject to such restrictions as may be deemed appropriate.

####