



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Pierce R. Homer  
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106  
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*Agenda item #6-D*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 17, 2009

#### MOTION

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

**Title: Land Conveyance, Route 851, Tazewell County**

**WHEREAS**, in connection with Route 851, Revenue Sharing Project 0851-092-583, N-501, Frank N. Kersey, Jr., et al., donated certain lands to the Commonwealth by deed dated February 10, 1999, recorded in Deed Book 769, Page 911, in the Office of the Clerk of the Circuit Court of Tazewell County; and

**WHEREAS**, portions of the said land were not utilized for the construction of Route 851 and the landowner has requested the conveyance of those lands; and

**WHEREAS**, the Commonwealth Transportation Commissioner has certified in writing that the said lands containing 0.219 acre, more or less, as shown on the plat titled "Plat of Survey Showing Right of Way and Easements Along Kersey Road" dated August 21, 2009, were acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 851 and do not constitute a section of the public road and are deemed by him no longer necessary for the uses of the 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 33.1-154 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended; and

**WHEREAS**, the former landowner has requested that the surplus lands be conveyed.

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**NOW, THEREFORE, BE IT RESOLVED**, in accordance and compliance with the provisions and notice requirements of Sections 33.1-154 and 33.1-223.2:2 of the *Code of Virginia* (1950), as amended, the conveyance of the said lands, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute, in the name of the Commonwealth, a deed conveying the said lands for a consideration satisfactory to the State Director, Right of Way Utilities Division, subject to such restrictions as may be deemed appropriate.

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