



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #8-A

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 16, 2009

MOTION

Made By: Mr. Layne, Seconded By: Mr. Dickens, Motion Carried, Unanimously

**Title: Land Conveyance, Route 5 and the Virginia Capital Trail – Greenspring Phase
James City County**

WHEREAS, in connection with Route 5 and a section of the Virginia Capital Trail – Greenspring Phase, State Highway Project 0005-047-111, RW-201, the Commonwealth acquired certain lands from the Williamsburg Land Conservancy, a Virginia nonprofit corporation, by Deed dated December 29, 2005, recorded as Instrument Number 060027683, in the Office of the Clerk of the Circuit Court of James City County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the lands containing 0.207 acre, more or less, and lying west of and adjacent to the west revised proposed right of way line of the Virginia Capital Trail – Greenspring Phase from a point 49.52 feet opposite Station 16+59.96 (Virginia Capital Trail – Greenspring Phase centerline) to a point 36.39 feet opposite Station 19+88.90 (Virginia Capital Trail – Greenspring Phase centerline); and 0.134 acre, more or less, and lying west of and adjacent to the west revised proposed right of way line of the Virginia Capital Trail – Greenspring Phase from a point 70.75 feet opposite approximate Station 25+14.24 (Virginia Capital Trail – Greenspring Phase centerline) to a point 15.42 feet opposite Station 27+68.02 (Virginia Capital Trail – Greenspring Phase centerline) were acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 5 and a section of the Virginia Capital Trail – Greenspring Phase, and do not constitute a section of the public road or said trail and are deemed by him no longer necessary for the uses of the State Highway System or the Virginia Capital Trail – Greenspring Phase; 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

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WHEREAS, the adjacent landowner, Field Crest Homeowners Association, Inc., has requested that the surplus lands be conveyed to facilitate maintenance of their storm water management lake.

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 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 lands 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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