



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item #5-D*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 20, 2010

#### MOTION

**Made By: Mrs. Carter Seconded By: Mr. Koelemay Action: Motion Carried, Unanimously**

#### **Title: Easement Conveyance, Route 3, Spotsylvania County**

**WHEREAS**, in connection with Route 3, State Highway Project 0003-088-122, RW-201, the Commonwealth acquired a certain easement for construction of a storm water management basin (SWMB) from Leonard Adler, married, by Agreement dated May 14, 1997, recorded in Deed Book 1469, Page 689, in the Office of the Clerk of the Circuit Court of Spotsylvania County; and

**WHEREAS**, the Commonwealth Transportation Commissioner has certified in writing that a portion of the easement external to the SWMB structure containing 0.0158 acre, more or less, and lying northeast of and adjacent to the northeast right of way line of Route 694 from a point approximately 74 feet opposite approximate Station 347+46 (Route 694 centerline) to a point approximately 74 feet opposite approximate Station 347+53 (Route 694 centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 3 and does not 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**, 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 said portion of the easement external to the SWMB structure be conveyed to facilitate the development of his adjoining property.

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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 portion of the said easement, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute, in the name of the Commonwealth, a deed conveying the portion of the said easement 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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