



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda item #10-C

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 14, 2010

MOTION

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

Title: Surplus Land Conveyance, Interstate 95, Chesterfield County

WHEREAS, in connection with Interstate 95, State Highway Project 7095-020-F08, RW-201, the Commonwealth acquired certain land from Irvin G. Horner, et al., by Deed dated August 29, 1997, recorded in Deed Book 3191, Page 299, in the Office of the Clerk of the Circuit Court of Chesterfield County; and

WHEREAS, a section of old Route 746 is no longer necessary as a public road since the new location of Route 746 serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33.1-155 of the *Code of Virginia* (1950), as amended, a section of old Route 746 was abandoned by the Board of Supervisors of Chesterfield County by resolution dated August 17, 2003; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.270 acre, more or less, and lying south of the Route 746 (Relocated Ruffin Mill Road) and Ruffin Mill Road Connector intersection, and adjacent to the south revised existing right of way line (7/14/2010) of the Ruffin Mill Road Connector and southwest revised existing right of way line (7/14/2010) of Route 746 (Relocated Ruffin Mill Road) from a point 47.9 feet opposite Station 7+86.11 (Ruffin Mill Road Connector centerline) to a point approximately 70 feet opposite approximate Station 27+41 (Route 746 EBL [Relocated Ruffin Mill Road] centerline) a portion of which was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Interstate 95, and all of which 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 or the Secondary System of State Highways; and

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WHEREAS, this conveyance is to be made in accordance and compliance with the provisions and notice requirements of Sections 33.1-149, 33.1-154 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

NOW, THEREFORE, BE IT RESOLVED, in accordance and compliance with the provisions and notice requirements of Sections 33.1-149, 33.1-154 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 and Utilities Division, subject to such restrictions as may be deemed appropriate.

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