



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda item # 7-D

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 16, 2010

MOTION

Made By: Mr. Koelemay

Seconded By: Ms. Pandak

Action: Motion Carried, Unanimously

Title: Easement Conveyance, Route 613 (Beulah Street), Fairfax County

WHEREAS, in connection with Route 613 (Beulah Street), State Highway Project 0613-029-309, C-501, the Commonwealth acquired certain permanent drainage easements from MPW, LLC, by Deed dated June 14, 2000, recorded in Deed Book 11492, Page 1426; MPW, LLC, by Deed dated June 14, 2000, recorded in Deed Book 11492, Page 1432; and MPW, LLC, by Agreement dated November 17, 2001, recorded in Deed Book 12493, Page 853, all being recorded in the Office of the Clerk of the Circuit Court of Fairfax County; and

WHEREAS, the underlying fee landowner has constructed a new drainage facility and has entered into an agreement and easement with the county for the purpose of maintenance; and

WHEREAS, the Acting Commonwealth Transportation Commissioner has certified in writing that the easement containing 0.193 acre, more or less, and lying west of Route 613 (Beulah Street), being of variable width and lying between the proposed permanent drainage easement lines, from a point approximately 162 feet opposite approximate Station 68+23 (Route 613 [Beulah Street] construction centerline) to a point approximately 415 feet opposite approximate Station 66+72 (Route 613 [Beulah Street] construction centerline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 613 and does not constitute a section of the public road and is 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

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WHEREAS, the underlying fee landowner has requested that the easement be conveyed.

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