



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # 9-D*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**September 15, 2010**

#### **MOTION**

**Made By: Mr. McCarthy Seconded By: Dr. Davis Action: Motion Carried, Unanimously**

#### **Title: Surplus Land Conveyance, Route 340, Page County**

**WHEREAS**, in connection with Route 251, State Highway Project 381A, the Commonwealth acquired certain land from Charles A. Dovel, et al., by deed dated November 10, 1926, recorded in Deed Book 89, Page 38; and William H. Kite, et al., by Order Confirming Report of Commissioners, recorded in Common Law Book 12, Page 389, both recorded in the Office of the Clerk of the Circuit Court of Page County; and

**WHEREAS**, in connection with Route 340, State Highway Project 0340-069-122, RW-201, the Commonwealth acquired certain land from Noah L. Clem, Jr., et al., by deed dated June 12, 2002, recorded as Instrument Number 020002428; and Thomas R. Rosazza, et al., by deed dated June 4, 2002, recorded as Instrument Number 02002632, both recorded in the Office of the Clerk of the Circuit Court of Page County; and

**WHEREAS**, a portion of Route 251 was subsequently renumbered to Route 340; and

**WHEREAS**, a section of old Route 340 is no longer necessary as a public road since the new location of Route 340 serves the same citizens as the old location; and

**WHEREAS**, in accordance with Section 33.1-145 of the *Code of Virginia* (1950), as amended, the Commonwealth Transportation Board at its meeting held March 17, 2010, abandoned a section of old Route 340; and

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**WHEREAS**, the Commonwealth Transportation Commissioner has certified in writing that the land containing 1.222 acres, more or less, as shown on the plans for State Highway Project 0340-069-122, RW-201, and lying west of and adjacent to the west revised existing right of way line (09/15/10) of Route 340 from a point approximately 56 feet opposite approximate Station 103+37 (Route 340 construction baseline) to a point approximately 43 feet opposite approximate Station 106+4 (Route 340 construction baseline) 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 adjacent landowner has requested that the surplus land be conveyed.

**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 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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