



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # 10-B*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 20, 2011

#### MOTION

**Made By: Mr. Bowie Seconded By: Mr. Keen  
Action: Motion Carried, Unanimously**

**Title: Surplus Land Conveyance, Interstate 81, Frontage Road FO11, Smyth County**

**WHEREAS**, in connection with Interstate 81, State Highway Project 0081-086-110, RW-201, the Commonwealth acquired certain land from W. Pat Jennings, et al., by Instrument dated February 2, 1987, recorded in Deed Book 369, Page 700, and concluded by Final Order dated June 23, 1987; and W. Pat Jennings, et al., by Deed dated July 17, 1990, recorded in Deed Book 405, Page 689, both recorded in the Office of the Clerk of the Circuit Court of Smyth County; and

**WHEREAS**, the Commissioner of Highways has certified in writing that the land containing 0.868 acre, more or less, and lying southwest of and adjacent to the revised proposed right of way line of Frontage Road FO11 from a point approximately 45 feet opposite approximate Station 11+79 (Frontage Road FO11 baseline) to a point approximately 50 feet opposite approximate Station 17+50 (Frontage Road FO11 baseline) was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Interstate 81 and 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; 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.

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**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 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 Commissioner of Highways 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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