



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda item # 9-B

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 15, 2011

MOTION

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

Title: Surplus Land Conveyance, Route 58 (Clarksville Bypass), Mecklenburg County

WHEREAS, in connection with Route 58 (Clarksville Bypass), State Highway Project 6058-058-E26, RW-201, the Commonwealth acquired certain lands from Elizabeth Yancey Ford, et al., by Deed dated June 2, 2009, recorded as Instrument Number 100000439; and Deborah A. Christy, et al., by Deed dated October 29, 1998, recorded in Deed Book 562, Page 317, both recorded in the Office of the Clerk of the Circuit Court of Mecklenburg County; and

WHEREAS, the Commonwealth is also the apparent owner of right of way for old Route 723 in Mecklenburg County; and

WHEREAS, a section of old Route 723 is no longer necessary as a public road since the new location of Route 723 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 723 was abandoned by the Board of Supervisors of Mecklenburg County by resolution dated May 8, 2006; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.08 acre, more or less, and lying east of and adjacent to the east revised proposed and existing right of way line (6/15/2011) of Relocated Route 723 from a point 36.09 feet opposite Station 19+21.38 (Relocated Route 723 construction centerline) to a point 36.09 feet opposite Station 19+59.91 (Relocated Route 723 construction centerline) 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 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 33.1-154, 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 33.1-154, 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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