



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # NB 1*

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

**June 15, 2011**

### **MOTION**

**Made By: Mr. Layne                      Seconded By: Mr. Ellis  
Action: Motion Carried, Unanimously**

**Title: Right of Way and Limited Access Control Changes  
Interstate 264, City of Norfolk**

**WHEREAS**, the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB) by resolution dated October 4, 1956, approved the location and design features of Interstate 264 (I-264), State Highway Projects 0264-122-101, RW-201, 0264-122-101, RW-202 and 0264-122-101, RW-203, including its designation as a limited access highway in the City of Norfolk, Virginia ("CITY"); and,

**WHEREAS**, in connection with the said State Highway Projects, which are located within the limits of the CITY, the Commonwealth acquired certain lands and limited access easements from various landowners: and,

**WHEREAS**, the Department of Rail and Public Transportation ("DRPT"), the CITY and Norfolk Southern Railway Company ("NS") are cooperating and participating in the development and construction of the Norfolk High Speed Rail Project ("Project") which is a part of the inter city connector initiative; and,

**WHEREAS**, NS is proceeding with design and construction of a segment of the Project consisting of the realignment of the existing double track and the addition of an additional siding track and signals at the crossing of the tracks and I-264 near Holt Street; and,

**WHEREAS**, portions of the Project are to be located within existing VDOT owned right of way under and adjacent to I-264 at the aforesaid crossing; and,

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**WHEREAS**, as a result of the design for the Project, NS has identified and requested proposed shifts and changes to the right of way and limited access control of I-264 and use of portions of the existing aforesaid right of way to accommodate various proposed NS facilities; and,

**WHEREAS**, VDOT has rendered a determination that the said proposed shifts and changes in the right of way and limited access control, to include any safety improvements as required, are appropriate from a design, safety and traffic control standpoint subject to further review and approval; and,

**WHEREAS**, the Project schedule is such that NS requires permission to enter the limited access right of way prior to the final evaluation and action by the CTB for a limited access control change at a future meeting; and,

**WHEREAS**, NS will provide any studies and reports needed to ensure compliance with Title 24, Section 30, Chapter 401 of the Virginia Administrative Code, relating to limited access control changes; and,

**WHEREAS**, all right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements; and,

**WHEREAS**, all costs of engineering and construction, including all necessary safety improvements will be borne by NS; and,

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with the provisions of Sections 33.1-25 and 33.1-58 of the *Code of Virginia* (1950), as amended, the Commonwealth Transportation Board hereby finds and concurs with the determinations set forth herein and approves the temporary shifts and changes in the said limited access control and restricted use rights of way solely for the purpose of NS's construction, operation and maintenance of the Project, subject to the final approval of same by the Federal Highway Administration and the CTB, as approved at a future meeting, and also subject to the conditions and restrictions of the Land Use Permit issued by the Commissioner. The Commonwealth Transportation Commissioner is hereby authorized to execute any and all documents needed to comply with this resolution.

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