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November 13, 2013

Joseph Craddock, P.E.
Virginia Department of Transportation
19281 U. S. Highway 29
Chatham, VA 24531

RE: Addition of Ramp Road in Hurt, Virginia to State System

Dear Mr. Craddock,

In your email of October 17, 2013 you informed us that Ramp Road could not be included in the state secondary highway system because somehow the Town of Hurt was not covered under Virginia Code Section 33.1-79 but covered under Section 33.1-82 which requires a 50 feet right of way pavement and 20 feet in width which Ramp Road does not have.

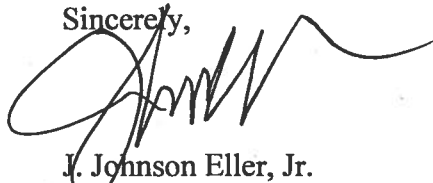
I reviewed Section 33.1-79 and 33.1-82 and it appears that a town having a population under 3,500 must request to be covered under Section 33.1-79 and in the absence of such a request Section 33.1-82 applies. We cannot find where the Town made such a request under Section 33.1-79 so I guess that is how we came under Section 33.1-82 - by default.

Anyway, having learned that the Town of Hurt is covered under Section 33.1-82 and what that means Town Council does not wish to remain under that Section. I drafted a resolution requesting coverage under Section 33.1-79 and Council passed it at its November 5 meeting. A certified copy is enclosed.

We request that VDOT move forward with the processing of the request. Please let me know if the resolution needs to be redrafted and if so we will do it and pass it at the December 3 meeting.

Thank you very much.

Sincerely,



J. Johnson Eller, Jr.
Town Attorney

Enclosures

cc: Gary Poindexter, Mayor, Town of Hurt
14/Hurt/Letter}VDOT Ramp Road 111313

HURT TOWN COUNCIL

**RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO CHANGE THE TOWN'S SECONDARY HIGHWAY
SYSTEM STATUS**

WHEREAS, at its monthly meeting September 3, 2013 the Hurt Town Council passed a resolution requesting the Virginia Department of Transportation ("VDOT") to include Ramp Road in the Town in the state secondary system of highways pursuant to Sec. 33.1-79 of the Code of Virginia; and

WHEREAS, upon submittal of the said resolution to VDOT it was determined that the Town of Hurt had not taken action in the past to operate under Code Sec. 33.1-79 and in the absence thereof was operating under Code Sec. 33.1-82 which requires a right of way of 50 ft. and hard surface width of 20 ft. neither of which criteria are met by Ramp Road; and

WHEREAS, the Town of Hurt is an incorporated Town having a population less than 3,500; and

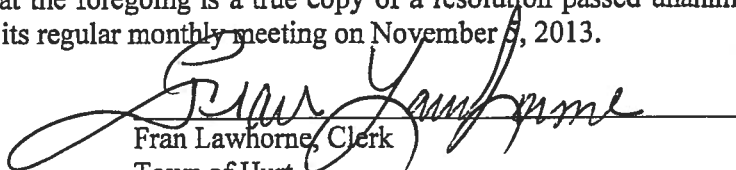
WHEREAS, Code Sec. 33.1-79 requires that in order for a Town having a population less than 3,500 to operate under said section it must so request by resolution of the governing body; and

WHEREAS, it is the desire of the Town of Hurt expressed by its Council that Ramp Road be added to the state system of secondary highways and that all actions necessary to accomplish the same be taken including said request to operate under Code Sec. 33.1-79.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town of Hurt hereby requests permission from VDOT and from the Commonwealth Transportation Board now and in the future to operate under Code Sec. 33.1-79 thereby permitting Ramp Road to be included in the state secondary system of highways; and that the Mayor and the Town Attorney are hereby authorized and directed to execute and file all documents and to take all other actions necessary to accomplish the same.

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution passed unanimously by the Hurt Town Council at its regular monthly meeting on November 8, 2013.


Fran Lawhorne, Clerk
Town of Hurt