



## COMMONWEALTH of VIRGINIA

### *Commonwealth Transportation Board*

Aubrey L. Layne, Jr.  
Chairman

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*Agenda item # 1*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 20, 2015

#### MOTION

Made By: Ms. Valentine, Seconded By: Mr. Dyke

Action: Motion Carried, Unanimously

#### Title: Proposed Limited Access Control Changes, Route 210, Amherst County

**WHEREAS**, Route 29, Lynchburg-Madison Heights Bypass, State Highway Project 6029-005-F22, R-201, in Amherst County including the Route 210 Connector was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB), on January 17, 1991; and

**WHEREAS**, in connection with the said Route 29 project, the Commonwealth acquired certain limited access control easements from F. F. Associates, LTD, by Instrument dated February 10, 2000, recorded in Deed Book 804, Page 773 and concluded by Final Order dated April 17, 2006 and from Lee Family, LLC, by Instrument dated July 30, 1999, recorded in Deed Book 777, Page 651 and concluded by Final Order dated December 6, 2012, all recorded in the Office of the Clerk of Circuit Court of Amherst County; and

**WHEREAS**, the adjoining landowner has requested the conveyance of a portion of the land in the vicinity of South Riverview Road, which adjoins their property, consisting of approximately 0.573 acre, more or less, which lies north of and adjacent to the south proposed right of way and limited access line of Route 210, as shown on the plans for the said Project, which would require a northern shift in the said lines to create a surplus parcel of land and an increase in the width of the existing break for South Riverview Road from 50 feet to 100 feet; and

**WHEREAS**, VDOT has determined that an increase in the width of the existing limited access break for South Riverview Road and a northern shift in the said proposed right of way and limited access line, from a point 157.57 feet opposite Station 18+94.18 (Proposed Route 210 construction baseline) to a point tying into the proposed right of way and limited access line

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160.81 feet opposite Station 24+23.95 (Proposed Route 210 construction baseline), as shown on the said plans for the said Project would be necessary to create the said surplus parcel, and is appropriate from a design standpoint; and

**WHEREAS**, the County of Amherst, by letter from the County Administrator, dated October 10, 2014, supports the limited access control change to facilitate the conveyance of the said land; and

**WHEREAS**, VDOT's Lynchburg District has determined that as there will be no impact to the operation of the Route 210 right of way, and the said Limited Access Control Changes (LACCs) are appropriate from a safety and traffic control standpoint, and waived the requirement for a Global Traffic Analysis; and

**WHEREAS**, VDOT staff has determined there will be no adverse environmental impacts; and

**WHEREAS**, a public notice was posted in the *News & Advance* newspaper, on March 5, 2015 and March 13, 2015 and closed on March 20, 2015, with no comments received; and

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

**WHEREAS**, all costs of any engineering and construction or necessary safety improvements will be borne by the requestor; and

**WHEREAS**, VDOT has determined no compensation shall be due in consideration of the proposed LACCs, as no value will be added to the adjoining land solely by shifting the said lines; however, compensation in an amount satisfactory to the State Right of Way and Utilities Director shall be required for the surplus land conveyance; and

**WHEREAS**, the proposed LACCs is in compliance with Title 24, Section 30, Chapter 401 of the *Virginia Administrative Code*.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with the provisions of Section 33.2-401 of the *Code of Virginia* the CTB hereby finds and concurs with the determinations set forth herein and approves the said LACCs to facilitate the said land conveyance as set forth, and subject to the above referred to conditions.

**BE IT FURTHER RESOLVED**, the Commissioner of Highways is authorized to execute any and all documents necessary to implement such changes.

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