



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda item # 9

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 7, 2016

MOTION

Made By: Ms. Hynes, Seconded By: Mr. Kasprowicz
Action: Motion Carried, Unanimously

Title: Locality Land Conveyances, Various Streets,
County of Arlington

WHEREAS, Section 33.2-907 of the Code of Virginia (1950) allows the Commonwealth Transportation Board to transfer (convey) to the locality, upon petition of the said locality's governing body, real estate acquired incidental to the construction, reconstruction, alteration, maintenance or repair of the State Highway System, which constitutes a section of public road, and upon such transfer, such section of road shall cease, if required, being a part of the State Highway System; and

WHEREAS, the County of Arlington has requested by resolution dated November 5, 2016 the conveyance of the real estate for a portion of South Fern Street, South Eads Street, 12th Street South, 15th Street, Clark/Bell Area, 18th Street, 20th Street, Clark Street, and 23rd Street, all as shown on the Crystal City VDOT Exhibit and listed on Exhibit A, which are in the County's street system and was acquired as a part of Route 1 Project 0001-000-105, RW-201, Route 95, Project 0095-000-101, RW-201, and Route 595/1, Project 595-000-101, RW-201/0001-000-101, RW-201.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Sections 33.2-907 of the Code of Virginia (1950), as amended, said conveyance of the said real estate is approved as set forth and upon conveyance, the roads shall no longer be a part of the State Highway System.

BE IT FURTHER RESOLVED, the Commissioner of Highways is hereby authorized to execute, in the name of the Commonwealth, a deed or deeds conveying the real estate subject to such restrictions as may be deemed appropriate.

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CTB Decision Brief

Locality Land Conveyance

Route 1, 95, and 595

Project 0001-000-105,RW-201, 0095-000-101,RW-201, and
0595-000-101,RW-201/0001-000-101,RW-201

County of Arlington

Issue: Sections 33.2-907 of the Code of Virginia (1950), as amended, allows the Commonwealth Transportation Board to transfer (convey) to the locality, upon petition of the said locality's governing body, real estate acquired incidental to the construction, reconstruction, alteration, maintenance or repair of the State Highway System, which constitutes a section of public road, and upon such transfer, such section of road shall cease, if required, being a part of the State Highway System.

Facts:

- The County of Arlington has petitioned by Resolution dated November 5, 2016, for the transfer and conveyance of the right of way for South Fern Street, South Eads Street, 12th Street South, 15th Street, Clark/Bell Area, 18th Street, 20th Street, Clark Street, and 23rd Street, all as shown on the Crystal City VDOT Exhibit and listed on Exhibit A, and acquired and constructed as a part of Route 1 Project 0001-000-105, RW-201, Route 95, Project 0095-000-101, RW-201, and Route 595/1, Project 595-000-101, RW-201/0001-000-101,RW-201.
- This proposed conveyance has been reviewed and approved by the Director of Right of Way and Utilities.

Recommendations: VDOT recommends that the lands be conveyed to the County of Arlington for public street purposes.

Action Required by CTB: The *Code of Virginia* requires a majority vote of the Commonwealth Transportation Board (CTB) authorizing the Commissioner of Highways to execute the deed. The CTB will be presented with a resolution for a formal vote.

Result, if Approved: The Commissioner of Highways will be authorized to execute a deed to convey the property.

Options: Approve, Deny, or Defer

Public Comments/Reactions: None

Crystal City VDOT Exhibit

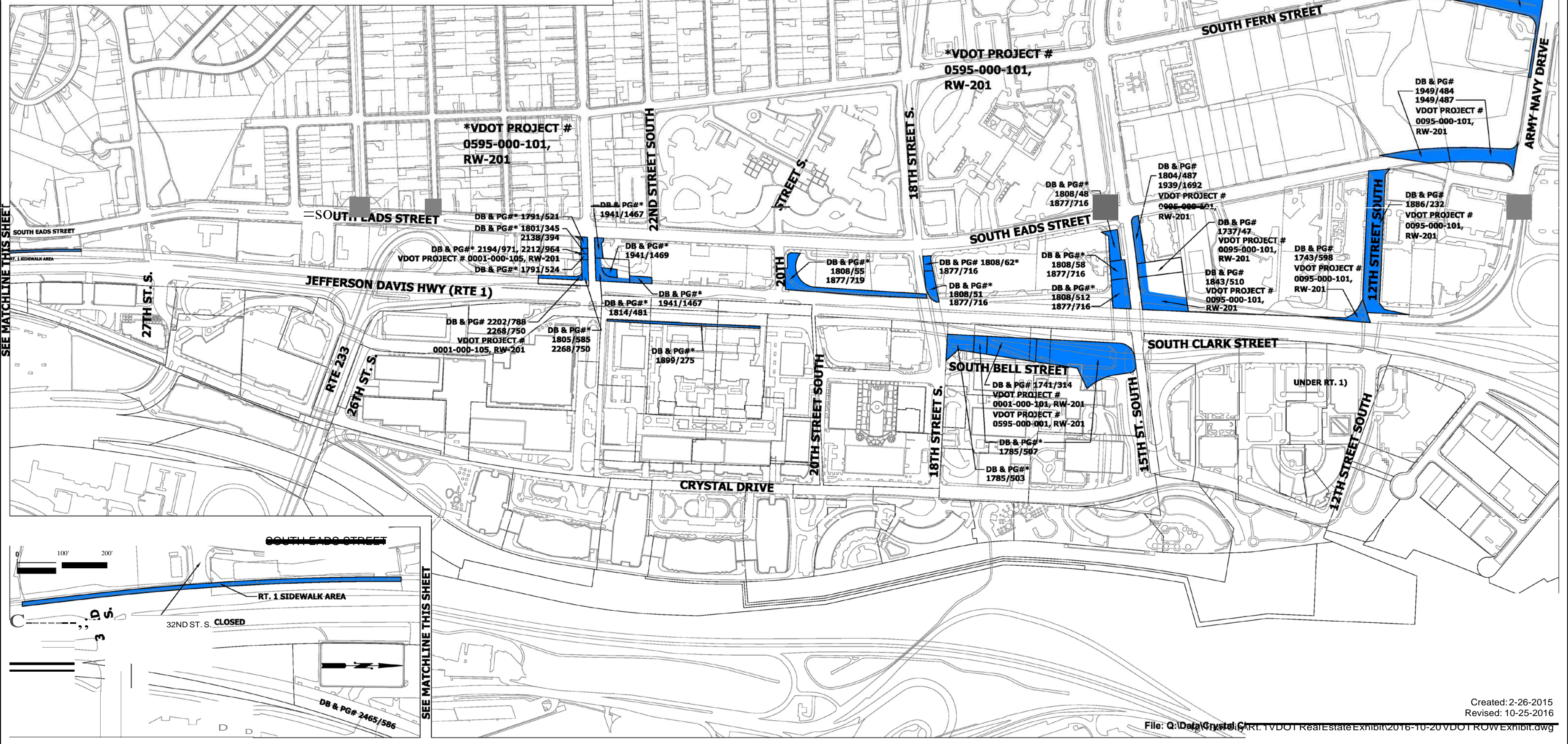
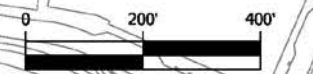
Legend

 Right of Way Conveyance Area (from VDOT)

DEPARTMENT OF
ENVIRONMENTAL SERVICES

Engineering & Capital Projects Division
Engineering Bureau
2100 Clarendon Boulevard, Suite 813
Arlington, VA 22201
Phone: 703.228.3629
Fax: 703.228.3606

GRAPHIC SCALE



SEE MATCHLINE THIS SHEET

SEE MATCHLINE THIS SHEET

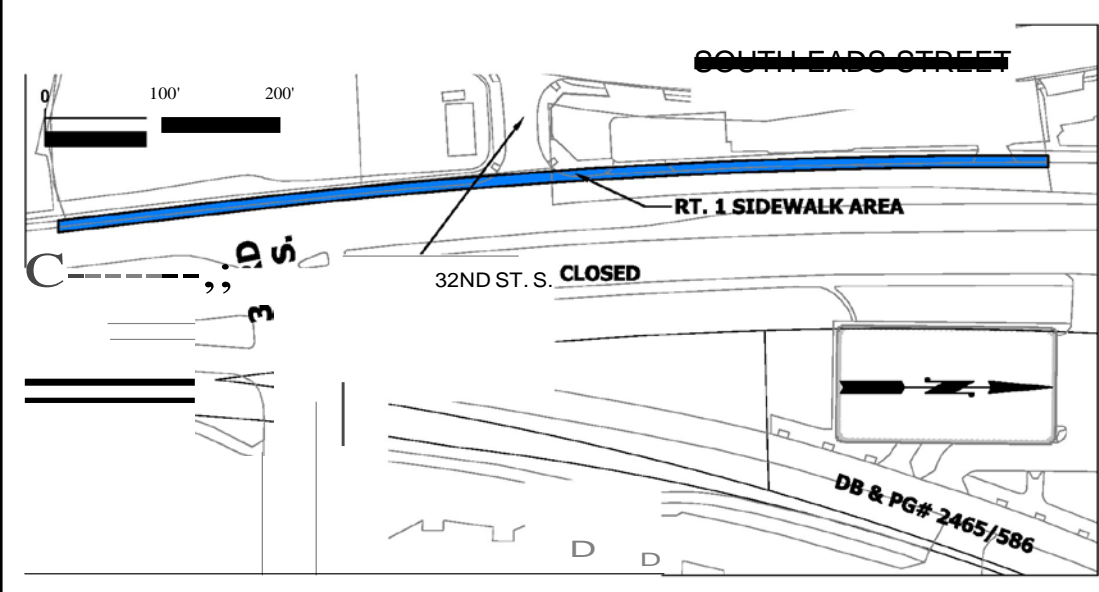


Exhibit A

1. South Fern Street between Army Navy Drive and 12th Street South
 - a. VDOT Project #0095-000-101, RW-201
 - i. Deed Book 1949/481 (Deed), SHP Book 9/622
2. South Eads Street between Army Navy Drive and 12th Street South
 - a. VDOT Project #0095-000-101, RW-201
 - i. Deed Book 1949/484 (Deed), SHP Book 9/623
 - ii. Deed Book 1949/487 (Deed), SHP Book 9/625
3. 12th Street South between Rte. 1 and South Eads Street
 - a. VDOT Project #0095-000-101, RW-201
 - i. Deed Book 1743/598 (Deed), SHP Book 9/153
 - ii. Deed Book 1886/232 (Deed), SHP Book 9/308
4. 15th Street between Rte. 1 and South Eads Street
 - a. VDOT Project #0095-000-101, RW-201
 - i. Deed Book 1737/47 (Deed), SHP Book 9/94
Limited to that portion of the parcel necessary for the right of way, and sidewalk and utilities easement:
 - ii. Deed Book 1804/487 (Certificate), SHP Book 9/414 (415)
Deed Book 1939/1692 (Order)
 - iii. Deed Book 1843/510 (Certificate), SHP Book 9/499
(Order)
Limited to that portion of the parcel necessary for the right of way, and sidewalk and utilities easement:
 - b. VDOT Project # 0595-000-101, RW-201
 - i. Deed Book 1808/48 (Certificate), SHP Book 9/457
Deed Book 1877/716 (Order)
 - ii. Deed Book 1808/58 (Certificate), SHP Book 9/464
Deed Book 1877/716 (Order)
 - iii. Deed Book 1808/512 (Certificate), SHP Book 9/474
Deed Book 1877/716 (Order)
5. Clark/Bell Area between 15th and 18th
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1785/503 (Deed), SHP Book 9/352
 - ii. Deed Book 1785/507 (Deed), SHP Book 9/353
 - b. VDOT Project #0001-000-101, RW-201 & #0595-000-101, RW-201
 - i. Deed Book 1741/314 (Certificate), SHP Book 9/141
Deed Book 1771/270 (Order)
6. 18th Street
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1808/62 (Certificate), SHP Book 9/467
Deed Book 1877/716 (Order)
 - ii. Deed Book 1808/51 (Certificate), SHP Book 9/458
Deed Book 1877/716 (Order)

7. 20th Street/Route 1
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1808/55 (Certificate), SHP Book 9/462
Deed Book 1877/719 (Order)
8. Clark Street between 20th and 23rd
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1899/275 (Deed)
9. 23rd Street
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1814/481 (Deed), SHP Book 9/482
 - ii. Deed Book 1941/1467 (Deed), SHP Book 9/615
 - iii. Deed Book 1941/1469 (Deed), SHP Book 9/616
 - iv. Deed Book 1805/585 (Certificate), SHP Book 9/433
Deed Book 2268/750 (Order)
 - v. Deed Book 1791/524 (Certificate), SHP Book 9/362
(Order)
 - vi. Deed Book 1791/521 (Certificate), SHP Book 9/361
(Order)
 - vii. Deed Book 1801/345 (Certificate), SHP Book 9/394
Deed Book 2318/394 (Order)
 - b. VDOT Project 0001-000-105, RW-201-
 - i. Deed Book 2202/788 (Certificate), SHP Book 10/362
Deed Book 2268/750 (Order)
 - ii. Deed Book 2194/971 (Certificate), SHP Book 10/328
Deed Book 2212/964 (Order)



HOPE HALLECK
CLERK TO THE
COUNTY BOARD

ARLINGTON COUNTY, VIRGINIA
OFFICE OF THE COUNTY BOARD

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ARLINGTON, VIRGINIA 22201-6406
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MEMBERS
LIBBY GARVEY
CHAIR
JAY FISETTE
VICE CHAIR

KATIE CR STOL
CHRISTIAN DORSEY
JOHN VIHSTADT

CERTIFICATION

I hereby certify that at its November 5, 2016 Regular Meeting, on a consent motion by Mr. Fisetete, seconded by Ms. Cristo! and carried by a vote of 5 to 0, the voting recorded as follows: Ms. Garvey- Aye, Mr. Fisetete- Aye, Ms. Cristo! -Aye, Mr. Dorsey- Aye, and Mr. Vihstadt- Aye, the County Board of Arlington, Virginia, approved the C.M. RECOMMENDATIONS in the attached County Manager's reports dated October 28, 2016 "SUBJECT: Resolution Petitioning the Commonwealth Transportation Board to Transfer Certain Sections of Public Roadway in Crystal City and Pentagon City to the County Board of Arlington County, Virginia"

Given under my hand this 7th day of November 2016.

Hope L. Halleck, Clerk
Arlington County Board

[SEAL]



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of November 5, 2016

DATE: October 28, 2016

SUBJECT: Resolution Petitioning the Commonwealth Transportation Board to Transfer Certain Sections of Public Roadway in Crystal City and Pentagon City to the County Board of Arlington County, Virginia

C. M. RECOMMENDATIONS:

1. Approve the attached Resolution petitioning the Commonwealth Transportation Board ("CTB") to Transfer Certain Sections of Public Roadway to the County Board of Arlington County, Virginia pursuant to Virginia Code Section 33.2-907 ("Resolution").
2. Authorize the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept, on behalf of the County Board, quitclaim deeds and all associated documents for such transfer, subject to approval of the quitclaim deed, as to form, by the County Attorney.

ISSUES: There are no outstanding issues with this request.

SUMMARY: The attached Resolution, if approved, would petition the CTB to transfer from the Commonwealth to the County Board certain portions or sections of public roadway located within Crystal City and Pentagon City, pursuant to § 33.2-907 of the Code of Virginia, 1950, as amended. The requested portions or sections of public roadway to be transferred are described in Exhibit A and depicted in Exhibit B, both attached to the Resolution (the "Transfer Areas"). Completing the conveyance of the Transfer Areas from the Commonwealth to the County Board was agreed to by the Commissioner of Highways during discussions this past year with the County regarding a number of projects in the County. The Transfer Areas are, for the most part, currently maintained by the County. The petitioned transfers will permit the County to better operate, improve and maintain these areas of roadway as part of the County's current and future transportation system within the Crystal City and Pentagon City areas.

BACKGROUND: The Transfer Areas are set forth in Exhibit A and Exhibit B attached to this Board Report. The Certificates of Take and Deeds establishing the Transfer Areas are detailed in

County Manager:

County Attorney:

23.

Staff: Tim O'Hora, Linda Eichelbaum Collier, DES, REB

Exhibit A. Staff from the Virginia Department of Highways have reviewed these requests and are in concurrence with the requests for transfer pursuant to Virginia Code Section 33.2-907.

DISCUSSION: In furtherance of the commitment by the Commissioner of Highways to accomplish the conveyance of the Transfer Areas from the Commonwealth to the County Board, County staff recommends that the County Board approve the attached Resolution petitioning the CTB to transfer the Transfer Areas to the County. The transfer of the Transfer Areas will permit the County to better control, operate, maintain and improve the Transfer Areas and facilitate the County's transportation system within Crystal City and Pentagon City. Because the County currently is maintaining most of, if not all of, the Transfer Areas, there will be no impact upon the County's future maintenance obligations in the area.

If the Resolution is approved by the County Board, then it will be presented to the CTB for their consideration in December. If approved by the CTB, then County staff and VDOT staff will work together to prepare the necessary deeds. Such deeds will be reviewed and approved as to form by the County Attorney's Office, and once approved, accepted by the Real Estate Bureau Chief in accordance with authority granted by the County Board under this Resolution, if adopted.

FISCAL IMPACT: Because the conveyance of the Transfer Areas to the County Board is a statutory transfer for no monetary consideration, and the County already has been maintaining most of, if not all of, the Transfer Areas, there will be no significant fiscal impact related to the acceptance of the Transfer Areas by the County.

RESOLUTION OF THE COUNTY BOARD OF
ARLINGTON, COUNTY, VIRGINIA

November 5, 2016

Resolution Petitioning the Commonwealth Transportation Board to Transfer
Certain Sections of PubUc Roadway to the County Board of ArUngton County,
Virginia Pursuant to Virginia Code Section 33.2-907

WHEREAS, in the nonnal course of right-of-way construction administered by the Virginia Department of Transportation ("VDOT"), the Commonwealth of Virginia (the "Commonwealth") transfers real property interests acquired for right-of-way projects to the localities upon completion of such projects;

WHEREAS, the Commonwealth acquired certain parcels of real estate and other real property interests for the construction, reconstruction, alteration, maintenance, or repair of certain rights of way located within the Crystal City and Pentagon City portions of Arlington County, VDOT Project Numbers 0095-00-101, RW-201; 0595-001-101, RW-201 and 001-000-105, RW-201 (the "Projects");

WHEREAS, all aspects of the construction, reconstruction, alteration, maintenance, and/or repair of the Projects are complete, and title to the parcels and other real property interests (the "Real Property Interests") acquired for the Projects remain vested in the Commonwealth;

WHEREAS, the Projects constitute sections of public roadway and related residual areas acquired, and the Arlington County, Virginia (the "County") maintains a portion of those sections of right of way (the "Rights-of-Way") included in the Projects and listed in Exhibit A and as depicted on Exhibit B, both attached to this Resolution;

WHEREAS, the County Board of Arlington County, Virginia, believing that it is in the best interests of the County for title to the Real Property Interests acquired for the Rights of Way in connection with the Projects be transferred to the County, petitions the Commonwealth to transfer the Real Property Interests acquired for the Rights of Way in connection with the Projects to the County pursuant to § 33.2-907 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY BOARD OF
ARLINGTON COUNTY, VIRGINIA:

1. That the County Board of Arlington County hereby petitions the Commonwealth, pursuant to Virginia Code Section 33.2-907 of the Code of Virginia, 1950, as amended, to transfer all of the Commonwealth's right, title and interest in and to the Real Property Interests acquired for the Rights of Way incidental to the construction,

reconstruction, alteration, maintenance or repair of the Projects, to the County Board of Arlington County, Virginia, and to take such other and further actions as may be necessary to complete the conveyance of title to such Real Property Interests and Rights of Way to the County Board of Arlington County, Virginia, and upon such transfer, such Real Property Interests and Rights of Way shall cease being a part of the State Highway System.

2. That the County Real Estate Bureau Chief, or his authorized designee, is hereby authorized to execute any and all documents necessary to complete the conveyance of title to the Real Property Interests and Rights of Way from the Commonwealth to the County Board, subject to approval as to form of such documents by the County Attorney.

Exhibit A

1. South Fern Street between Army Navy Drive and 121h Street South
 - a. VDOT Project #0095-000-101, RW-201
 - i. Deed Book 1778/492 (Certificate), State Highway Plat Book 9/301 (302)
Deed Book 1949/481 (Deed in lieu of condemnation), State Highway Plat Book 9/622
2. South Eads Street between Army Navy Drive and 121h Street South
 - a. VDOT Project #0095-000-101, RW-201
 - i. Deed Book 1949/484 (Deed in lieu of condemnation), State Highway Plat Book 9/623
 - ii. Deed Book 1949/487 (Deed in lieu of condemnation), State Highway Plat Book 9/625
3. 121h Street South between Rte. 1 and South Eads Street
 - a. VDOT Project #0095-000-101, RW& 201
 - i. Deed Book 1743/598 (Deed), State Highway Plat Book 9/153
 - ii. Deed Book 1886/232 (Deed). State Highway Plat Book 9/308
4. 15th Street between Rte. 1 and South Eads Street
 - a. VDOT Project #0095-000-101, RW-201
 - i. Limited to that portion of the parcel necessary for the right of way, and sidewalk and utilities easement:
Deed Book 1737/47 (Deed), State Highway Plat Book 9/94
 - ii. Deed Book 1804/487 (Certificate), State Highway Plat Book 9/414 (415)
Deed Book 1939/1692 (Order)
 - iii. Limited to that portion of the parcel necessary for the right of way, and sidewalk and utilities easement:
Deed Book 1843/510 (Certificate), State Highway Plat Book 9/499 (Order)
 - b. VDOT Project# 0595-000-101, RW-201
 - i. Deed Book 1808/48 (Certificate), State Highway Plat Book 9/457
Deed Book 1877/716 (Order)
 - ii. Deed Book 1808/58 (Certificate), State Highway Plat Book 9/464 (465)
Deed Book 1877/716 {Order}
 - iii. Deed Book 1808/512 {Certificate}. State Highway Plat Book 9/474 (475)
Deed Book 1877/716 {Order}

5. Clark/Bell Area between 15th and 18th
 - a. VDOT Project 1#0595-000-101, RW-201
 - i. Deed Book 1785/503 (Deed), State Highway Plat Book 9/352
VDOT Project #0595-000-101, RW-201
 - ii. Deed Book 1785/507 (Deed), State Highway Plat Book 9/353
VDOT Project #0595-000-101, RW-201
 - b. VDOT Project#0001-000-101, RW-201 & #0595-000-101, RW-201
 - i. Deed Book 17411314 (Certificate). State Highway Plat Book 9/141
(Order)

6. 18th Street
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1808/62 (Certificate), State Highway Plat Book 9/467
Deed Book 1877/716 (Order)
 - ii. Deed Book 1808/51 (Certificate), State Highway Plat Book 9/458
(459)
Deed Book 1877/716 (Order)

7. 20th Street/Route 1
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1808/55 (Certificate), State Highway Plat Book 9/462
Deed Book 1877/719 (Order)

8. Route 1 between 20th and 23rd
 - a. VDOT Project 10595-000-101, RW-201
 - i. Deed Book 1899/275 (Deed), State Highway Plat Book _____

9. 23rd Street
 - a. VDOT Project #0595-000-101, RW-201
 - i. Deed Book 1814/481 (Deed), State Highway Plat Book 9/482
 - ii. Deed Book 194111467 (Deed), State Highway Plat Book 9/615
 - iii. Deed Book 194111469 (Deed), State Highway Plat Book 9/616
 - iv. Deed Book 1805/585 (Certificate). State Highway Plat Book 9/433
Deed Book 2258/1235: 2268/750 (Order)
 - v. Deed Book 17911524 (Certificate), State Highway Plat Book 9/362
(Order)
 - vi. Deed Book 17911521 (Certificate). State Highway Plat Book 9/361
(Order)
 - vii. Deed Book 18011345 (Certificate), State Highway Plat Book 9/394
(395)
Deed Book 2318/394 (Order)
 - b. VDOT Project 0001-000-105, RW-201

- i. Deed Book 22021788 (Certificate), State Highway Plat Book 10/362
Deed Book 2258/1235; 2268/750 (Order)
- ii. Deed Book 2194/971 (Certificate). State Highway Plat Book 10/328
Deed Book 2212/964 (Order)

10. Route 1 Sidewalk Area around 32nd, 33rd

Crystal City VDOT Exhibit

Legend

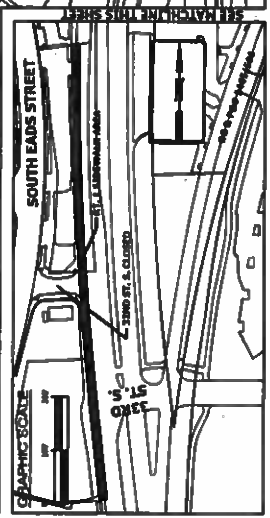
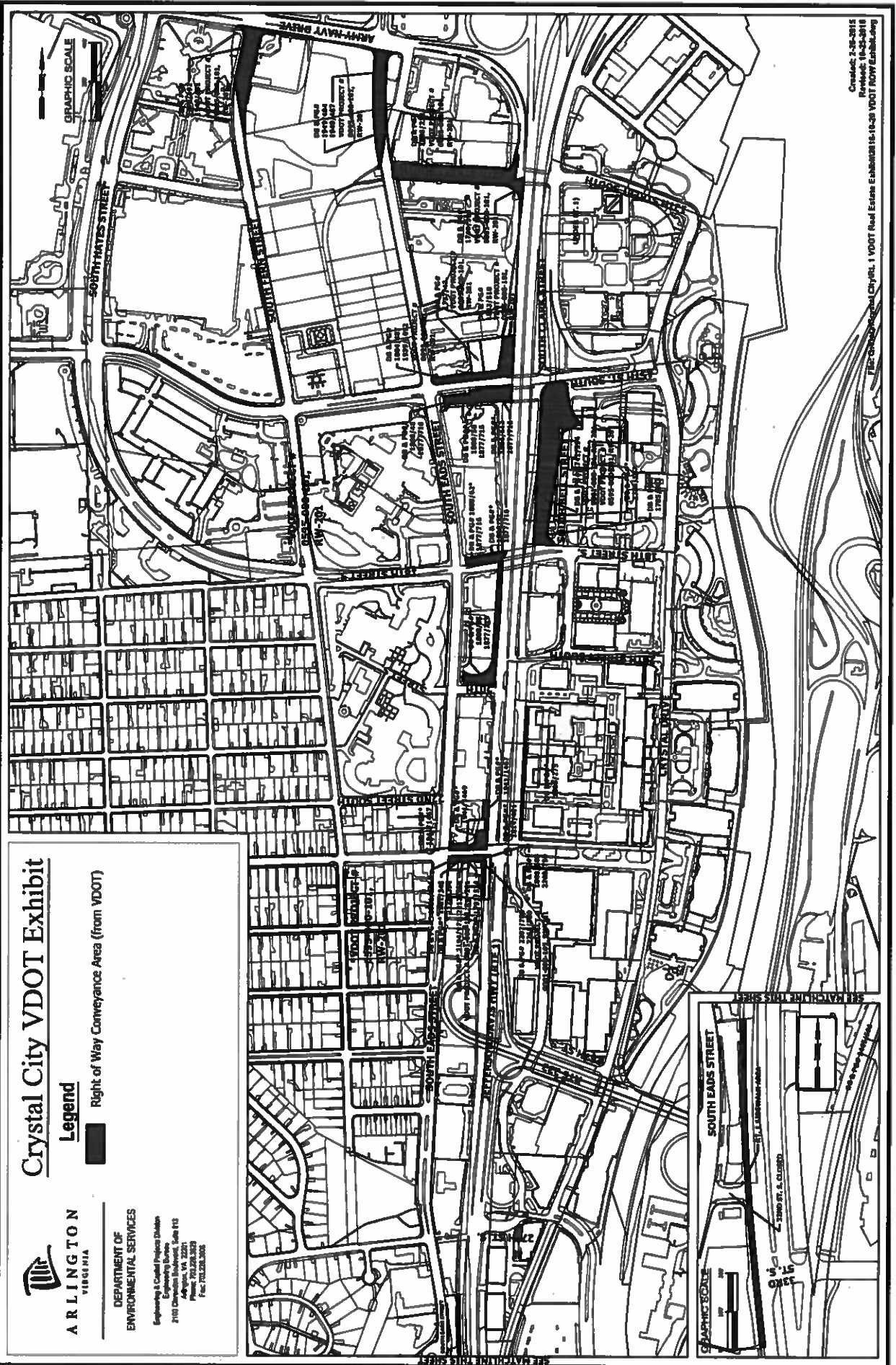
Right of Way Conveyance Area (from VDOT)



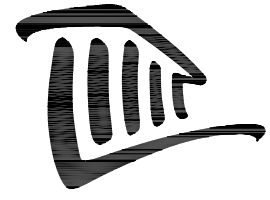
ARLINGTON
180071A

DEPARTMENT OF
ENVIRONMENTAL SERVICES

Engineering & Capital Projects Division
1100 Crystal City Drive
2100 Crystal City Plaza, Suite 410
Arlington, VA 22201
Phone: 703.226.3529
Fax: 703.226.3526



Created: 2-28-2015
Revised: 10-23-2015
File: Crystal City VDOT ROW Exhibit.dwg



ARLINGTON
VIRGINIA

DEPARTMENT OF
ENVIRONMENTAL SERVICES

Engineering & Capital Projects Division
Engineering Bureau
2100 Clarendon Boulevard, Suite 813
Arlington, VA 22201
Phone: 703.228.3629
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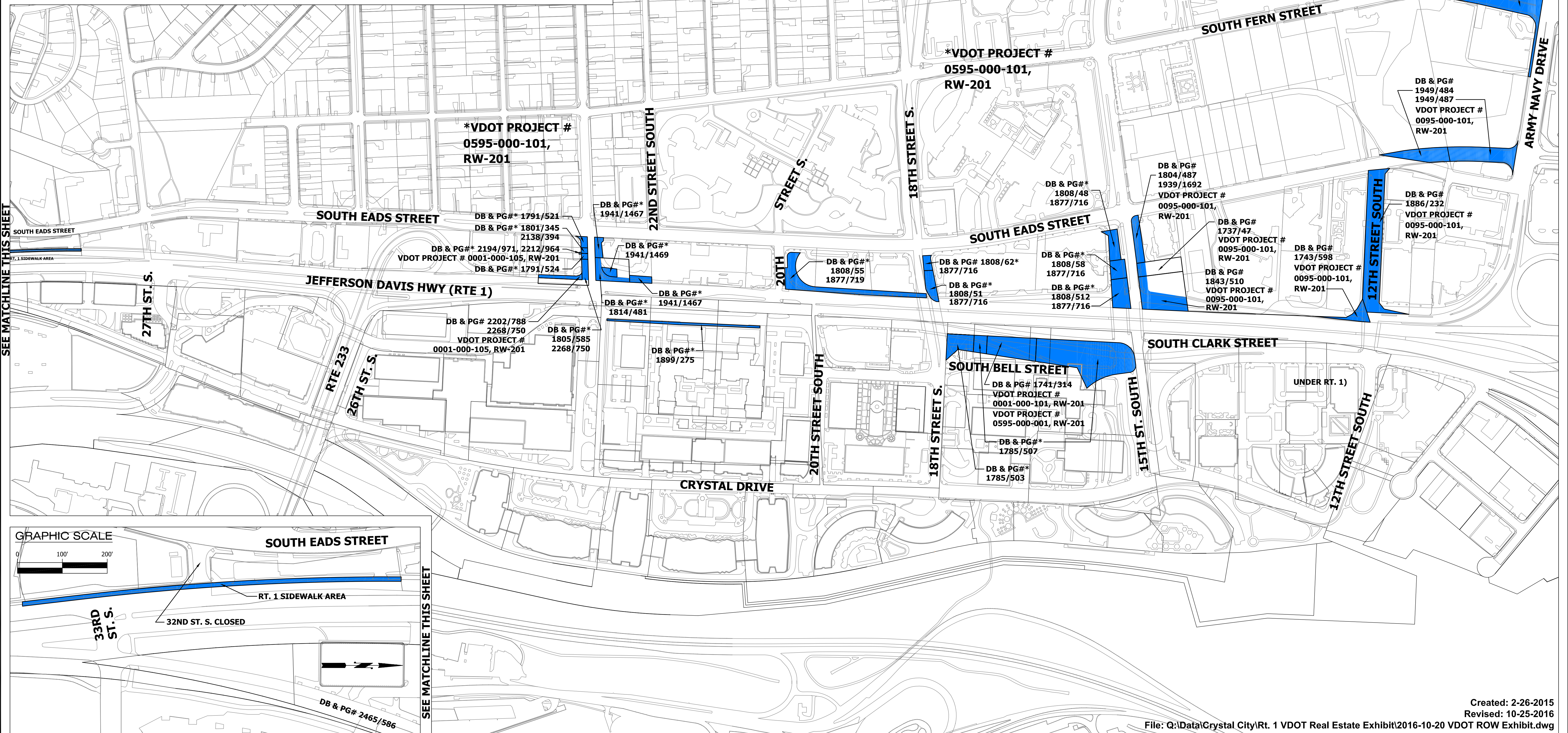
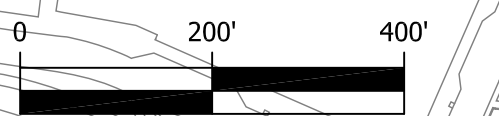
Crystal City VDOT Exhibit

Legend

Right of Way Conveyance Area (from VDOT)

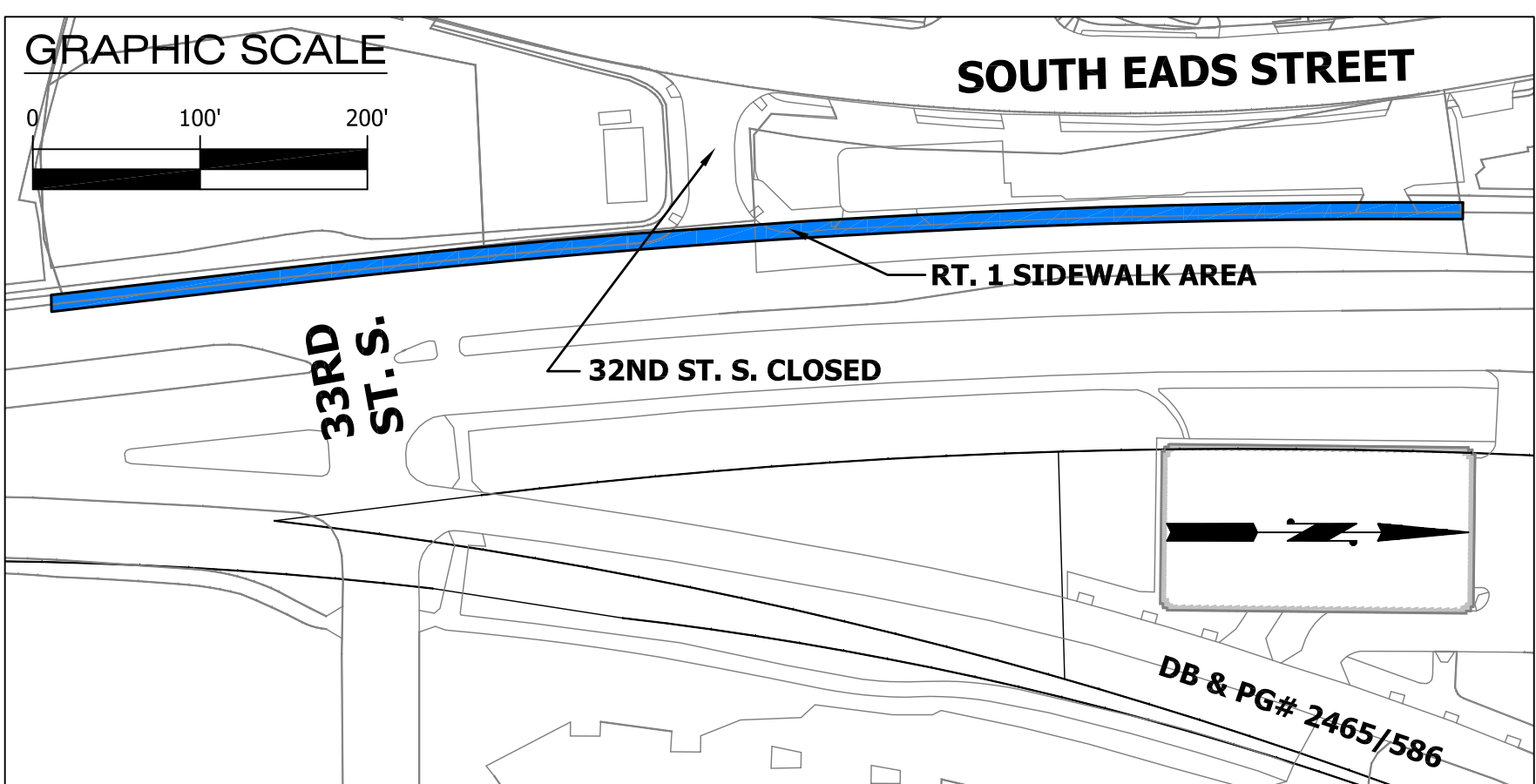


GRAPHIC SCALE



SEE MATCHLINE THIS SHEET

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Created: 2-26-2015
Revised: 10-25-2016

File: Q:\Data\Crystal City\Rt. 1 VDOT Real Estate Exhibit\2016-10-20 VDOT ROW Exhibit.dwg

Exhibit A

1. South Fern Street between Army Navy Drive and 12th Street South
 - a. VDOT Project #0095-000-101, RW-201
 - i. Deed Book 1949/481 (Deed), SHP Book 9/622
2. South Eads Street between Army Navy Drive and 12th Street South
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 - iii. Deed Book 1941/1469 (Deed), SHP Book 9/616
 - iv. Deed Book 1805/585 (Certificate), SHP Book 9/433
Deed Book 2268/750 (Order)
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(Order)
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Deed Book 2212/964 (Order)



HOPE HALLECK
CLERK TO THE
COUNTY BOARD

ARLINGTON COUNTY, VIRGINIA
OFFICE OF THE COUNTY BOARD

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E-MAIL: countyboard@arlingtonva.us



MEMBERS
LIBBY GARVEY
CHAIR
JAY FISETTE
VICE CHAIR

KATIE CRISTOL
CHRISTIAN DORSEY
JOHN VIHSTADT

CERTIFICATION

I hereby certify that at its November 5, 2016 Regular Meeting, on a consent motion by Mr. Fisetto, seconded by Ms. Cristol and carried by a vote of 5 to 0, the voting recorded as follows: Ms. Garvey - Aye, Mr. Fisetto - Aye, Ms. Cristol - Aye, Mr. Dorsey - Aye, and Mr. Vihstadt - Aye, the County Board of Arlington, Virginia, approved the C.M.

RECOMMENDATIONS in the attached County Manager's reports dated October 28, 2016 "SUBJECT: Resolution Petitioning the Commonwealth Transportation Board to Transfer Certain Sections of Public Roadway in Crystal City and Pentagon City to the County Board of Arlington County, Virginia"

Given under my hand this 7th day of November 2016.

Hope L. Halleck, Clerk
Arlington County Board

[SEAL]



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of November 5, 2016

DATE: October 28, 2016

SUBJECT: Resolution Petitioning the Commonwealth Transportation Board to Transfer Certain Sections of Public Roadway in Crystal City and Pentagon City to the County Board of Arlington County, Virginia

C. M. RECOMMENDATIONS:

1. Approve the attached Resolution petitioning the Commonwealth Transportation Board ("CTB") to Transfer Certain Sections of Public Roadway to the County Board of Arlington County, Virginia pursuant to Virginia Code Section 33.2-907 ("Resolution").
2. Authorize the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to accept, on behalf of the County Board, quitclaim deeds and all associated documents for such transfer, subject to approval of the quitclaim deed, as to form, by the County Attorney.

ISSUES: There are no outstanding issues with this request.

SUMMARY: The attached Resolution, if approved, would petition the CTB to transfer from the Commonwealth to the County Board certain portions or sections of public roadway located within Crystal City and Pentagon City, pursuant to § 33.2-907 of the Code of Virginia, 1950, as amended. The requested portions or sections of public roadway to be transferred are described in Exhibit A and depicted in Exhibit B, both attached to the Resolution (the "Transfer Areas"). Completing the conveyance of the Transfer Areas from the Commonwealth to the County Board was agreed to by the Commissioner of Highways during discussions this past year with the County regarding a number of projects in the County. The Transfer Areas are, for the most part, currently maintained by the County. The petitioned transfers will permit the County to better control, operate, improve and maintain these areas of roadway as part of the County's current and future transportation system within the Crystal City and Pentagon City areas.

BACKGROUND: The Transfer Areas are set forth in Exhibit A and Exhibit B attached to this Board Report. The Certificates of Take and Deeds establishing the Transfer Areas are detailed in

County Manager:

mga/cgm

County Attorney:

APV

23.

Staff: Tim O'Hora, Linda Eichelbaum Collier, DES, REB

Exhibit A. Staff from the Virginia Department of Highways have reviewed these requests and are in concurrence with the requests for transfer pursuant to Virginia Code Section 33.2-907.

DISCUSSION: In furtherance of the commitment by the Commissioner of Highways to accomplish the conveyance of the Transfer Areas from the Commonwealth to the County Board, County staff recommends that the County Board approve the attached Resolution petitioning the CTB to transfer the Transfer Areas to the County. The transfer of the Transfer Areas will permit the County to better control, operate, maintain and improve the Transfer Areas and facilitate the County's transportation system within Crystal City and Pentagon City. Because the County currently is maintaining most of, if not all of, the Transfer Areas, there will be no impact upon the County's future maintenance obligations in the area.

If the Resolution is approved by the County Board, then it will be presented to the CTB for their consideration in December. If approved by the CTB, then County staff and VDOT staff will work together to prepare the necessary deeds. Such deeds will be reviewed and approved as to form by the County Attorney's Office, and once approved, accepted by the Real Estate Bureau Chief in accordance with authority granted by the County Board under this Resolution, if adopted.

FISCAL IMPACT: Because the conveyance of the Transfer Areas to the County Board is a statutory transfer for no monetary consideration, and the County already has been maintaining most of, if not all of, the Transfer Areas, there will be no significant fiscal impact related to the acceptance of the Transfer Areas by the County.

**RESOLUTION OF THE COUNTY BOARD OF
ARLINGTON, COUNTY, VIRGINIA**

November 5, 2016

**Resolution Petitioning the Commonwealth Transportation Board to Transfer
Certain Sections of Public Roadway to the County Board of Arlington County,
Virginia Pursuant to Virginia Code Section 33.2-907**

WHEREAS, in the normal course of right-of-way construction administered by the Virginia Department of Transportation ("VDOT"), the Commonwealth of Virginia (the "Commonwealth") transfers real property interests acquired for right-of-way projects to the localities upon completion of such projects;

WHEREAS, the Commonwealth acquired certain parcels of real estate and other real property interests for the construction, reconstruction, alteration, maintenance, or repair of certain rights of way located within the Crystal City and Pentagon City portions of Arlington County, VDOT Project Numbers 0095-00-101, RW-201; 0595-001-101, RW-201 and 001-000-105, RW-201 (the "Projects");

WHEREAS, all aspects of the construction, reconstruction, alteration, maintenance, and/or repair of the Projects are complete, and title to the parcels and other real property interests (the "Real Property Interests") acquired for the Projects remain vested in the Commonwealth;

WHEREAS, the Projects constitute sections of public roadway and related residual areas acquired, and the Arlington County, Virginia (the "County") maintains a portion of those sections of right of way (the "Rights-of-Way") included in the Projects and listed in Exhibit A and as depicted on Exhibit B, both attached to this Resolution;

WHEREAS, the County Board of Arlington County, Virginia, believing that it is in the best interests of the County for title to the Real Property Interests acquired for the Rights of Way in connection with the Projects be transferred to the County, petitions the Commonwealth to transfer the Real Property Interests acquired for the Rights of Way in connection with the Projects to the County pursuant to § 33.2-907 of the Code of Virginia, 1950, as amended.

**NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY BOARD OF
ARLINGTON COUNTY, VIRGINIA:**

1. That the County Board of Arlington County hereby petitions the Commonwealth, pursuant to Virginia Code Section 33.2-907 of the Code of Virginia, 1950, as amended, to transfer all of the Commonwealth's right, title and interest in and to the Real Property Interests acquired for the Rights of Way incidental to the construction,

reconstruction, alteration, maintenance or repair of the Projects, to the County Board of Arlington County, Virginia, and to take such other and further actions as may be necessary to complete the conveyance of title to such Real Property Interests and Rights of Way to the County Board of Arlington County, Virginia, and upon such transfer, such Real Property Interests and Rights of Way shall cease being a part of the State Highway System.

2. That the County Real Estate Bureau Chief, or his authorized designee, is hereby authorized to execute any and all documents necessary to complete the conveyance of title to the Real Property Interests and Rights of Way from the Commonwealth to the County Board, subject to approval as to form of such documents by the County Attorney.