



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 21, 2021

MOTION

Made By: Ms. DeTuncq, Seconded By: Ms. Hynes
Action: Motion carried, unanimously

Title: Abandonment – Primary System of State Highways: Previously Discontinued Portion of Old Route 29 Located in Pittsylvania County

WHEREAS, upon reconstruction of Route 29 in Pittsylvania County in the 1970's, the State Highway Commission, predecessor to the Commonwealth Transportation Board, relocated a segment of an existing Primary system roadway to a new alignment, causing the previous segment to no longer provide a public convenience that warrants maintenance at public expense; and

WHEREAS, the State Highway Commission passed a resolution on May 9, 1974 discontinuing that previous segment of Route 29; and

WHEREAS, pursuant to §33.2-902, *Code of Virginia 1950*, as amended, the Commissioner of Highways was provided with a petition to abandon from the Primary System of State Highways a segment of Old Route 29, as seen in the map attached hereto as Exhibit B, in Pittsylvania County. This matter is being considered at the request of the county. The road segment proposed to be abandoned is 0.30 of a mile and is

- (a) no longer necessary as a public road, and
- (b) no longer provides a public convenience that warrants maintenance at public expense; and

Resolution of the Board

Abandonment - Primary System of State Highways: Previously Discontinued Portion of Old Route 29 Located in Pittsylvania County

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WHEREAS, the Pittsylvania County Board of Supervisors supports the abandonment of this segment of Old Route 29 from the Primary System of State Highways, as documented in the letter of support, attached hereto as Exhibit A, as seen in the map attached hereto as Exhibit B, which represents the previously discontinued segment; and

WHEREAS, notice was posted of the intent to abandon such segment, attached hereto as Exhibit C, and such posting was done in accordance with § 33.2-902, and no requests were received for public hearing on the matter; and

WHEREAS, a Primary roadway for which no public necessity exists may be abandoned by the Board, pursuant to § 33.2-902, *Code of Virginia* 1950, as amended

NOW THEREFORE, BE IT RESOLVED, that the roadway segment identified below, and as depicted in Exhibit B, is hereby ordered abandoned as part of Primary system of state highways, pursuant to § 33.2-902, *Code of Virginia*, 1950, as amended.

Primary System of State Highways Abandonment

Lynchburg District

Pittsylvania County

Project: 6029-071-111, C-501

- Old Route 29 – Segment A – B 0.30 Mi.

Total Mileage Abandoned from the Primary System: 0.30 Mi.

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CTB Decision Brief

Abandonment – Primary System of State Highways: Previously Discontinued Portion of Old Route 29 Located in Pittsylvania County

Issue: The Pittsylvania County Board of Supervisors has requested that a 0.30 mile segment of a previously discontinued portion of Old Route 29 in Pittsylvania County be abandoned pursuant to § 33.2-902 of the *Code of Virginia*.

Facts: The State Highway Commission, predecessor to the Commonwealth Transportation Board, passed a resolution on May 9, 1974, discontinuing a portion of Old Route 29, upon the reconstruction of Route 29. The 0.30 mile segment currently being requested for abandonment is the roadway that was discontinued in 1974.

The Pittsylvania Board of Supervisors requested the abandonment of the 0.30 mile segment of Old Route 29 which is located adjacent to the intersection of Routes 638 and 988 (segment identified as “A – B” noted in “Blue” on Exhibit B, attached). The County wishes to abandon the portion of Old Route 29 outside of the right of way of existing highways to be conveyed to the county and used for a new county emergency services facility. A letter of support from the County, dated June 2, 2021, is attached as Exhibit A.

Upon review of the area, VDOT staff determined the 0.30 mile segment of Old Route 29 should be abandoned as a part of the Primary System of State Highways, pursuant to § 33.2-902 of the *Code of Virginia*, since no public necessity exists for the continuance of the segment as a public road.

Pursuant to and in accordance with § 33.2-902 of the *Code of Virginia*, the Virginia Department of Transportation published a “Notice of Intent to Abandon” in the *Star-Tribune* publication on June 2 and 9, 2021 (Exhibit C, attached). No request was received to hold the public hearing.

Recommendations: VDOT recommends the Board approve the abandonment of the 0.30 mile segment of Old Route 29 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board’s members to approve the proposed abandonment. A resolution describing the proposed segment to be abandoned is provided for the Board’s consideration.

Result if Approved: If approved, the segment of discontinued highway will no longer be available for use by the public.

Options: Approve, Deny or Defer

Public Comments/Reactions: A public hearing was not requested to be held.

Exhibit A
Pittsylvania County Letter of Support



COUNTY ATTORNEY
P.O. Box 426 • 1 Center Street
Chatham, Virginia 24531
Phone (434) 432-7720

June 2, 2021

VIA U.S. MAIL

Kenneth C. Martin
VDOT Halifax Residency Administrator
5211 Halifax Road
Halifax, Virginia 24558

Re: Proposed Virginia Code § 33.2-902 Abandonment of Portion of Old Route 29

Dear Mr. Martin:

In my capacity as County Attorney, and on behalf of the Pittsylvania County Board of Supervisors, the County supports, per legal authority in Virginia Code § 33.2-902, 1950, as amended, the primary abandonment of the 0.30 mile segment identified as "A" to "B" on the attached sketch. This action is associated with VDOT Project 6029-071-111, C-501. The State Highway Commission previously discontinued this segment of Old Route 29 on May 9, 1974.

If you have any questions related to this Project, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink that reads "J. Vaden Hunt". The signature is written in a cursive style.

J. Vaden Hunt, Esq.
Pittsylvania County Attorney

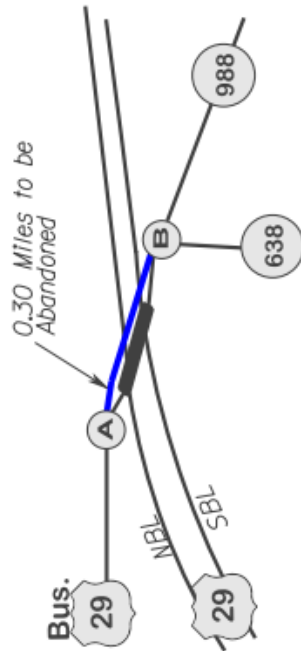
JVH/aw

Encls.

Cc: PCET (via email); (w/o encls.)
Hon. PCBOS (via email); (w/o encls.)
Nick Morris (Asst. Public Works Director/Special Projects Manager); (via email); (w/o encls.)
Christopher C. Slemm (Public Safety Director); (via email); (w/o encls.)

Exhibit B
Sketch of Proposed Segment to be Abandoned

SHEET 1 OF 1



Route	Action	Segment	Length
(Old) 29	Abandonment	A-B	0.30 Mi.



Virginia Department of Transportation
VDOT
 Office of Land Use
 June 01, 2021

Not To Scale

PITTSYLVANIA COUNTY


Lynchburg District

6029-071-111, C-501

Old Route 29 Abandonment 33.2-902 Code of Virginia

Exhibit C
“Notice of Intent to Abandon”

Published in the *Star-Tribune*
June 2 and 9, 2021



Route 29 (Old Location of Route 29)
Pittsylvania County
Willingness to Hold a Public Hearing
Notice of Intent to Abandon Public Road Segment

Pursuant to §33.2-902 of the Code of Virginia, the Virginia Department of Transportation (VDOT) will consider abandonment of a segment of the Old Location of Route 29 in Pittsylvania County. The total length of the segment to be abandoned is 0.3 miles. The Commonwealth Transportation Board discontinued this segment of roadway on May 9, 1974, made necessary by the construction of the new four lane Route 29 (VDOT Project #6029-071-111, C-501). The exact location of the segment is from the intersection of Route 638 (Harbor Drive) and Route 988 (Highway View Road) northeasterly for 0.3 miles to a point on Business Route 29 (Main Street), opposite station 12+07 of the new highway alignment.

VDOT is willing to hold a public hearing prior to considering the abandonment if one or more landowners whose property is impacted by the abandonment makes a request. A public hearing may be requested in writing to Mr. Joseph Craddock, PE, Assistant Resident Engineer, VDOT Halifax Residency, 5211 Halifax Road, Halifax, VA 24558 on or prior to July 2, 2021.

Additional information about the proposed abandonment is available at VDOT's Halifax Residency Office at the address above. Please call ahead at 434-433-3142 to make an appointment with appropriate personnel.

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact VDOT Civil Rights at 434-856-8168.