



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 482-5818
Fax: (804) 786-2940

Agenda item # 2

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 21, 2023

MOTION

Made By: Mr. Stant, **Seconded By:** Dr. Smoot

Action: Motion Carried, Unanimously

Title: Abandonment – Primary System of State Highways: Previously Discontinued Portions of Old Routes 19 and 58 Located in Russell County

WHEREAS, upon reconstruction of Routes 19 and 58 in Russell County in the 1970's, the State Highway Commission, predecessor to the Commonwealth Transportation Board, relocated segments of existing Primary system roadways to new alignment, causing the previous segments to no longer provide a public convenience that warrants maintenance at public expense; and

WHEREAS, the State Highway Commission passed a resolution on April 29, 1971, discontinuing segments of Routes 19 and 58 as part of the highway system changes resulting from the construction of VDOT Project 0019-083-103, C501; and

WHEREAS, pursuant to §33.2-902, *Code of Virginia 1950*, as amended, the Commissioner of Highways was provided with a petition from an interested landowner to abandon from the Primary System of State Highways segments of Old Routes 19 and 58, as seen in the map attached hereto as Exhibit B, in Russell County. The three road segments proposed to be abandoned include a total length of 0.26 of a mile and are

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

WHEREAS, the Russell County Board of Supervisors supports the abandonment of these three segments of Old Routes 19 and 58 from the Primary System of State Highways, as documented in the county resolution, attached hereto as Exhibit A, as seen in the map attached hereto as Exhibit B, all of which were previously discontinued; and

WHEREAS, notice was posted of the intent to abandon these segments, attached hereto as Exhibit C, and such posting was completed 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 segments identified below, and as depicted in Exhibit B, are 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

Bristol District

Russell County

- Old Route 19 – Segment A – B 0.05 Mi.
- Old Route 19 – Segment B – C 0.18 Mi.
- Old Route 58 – Segment B – D 0.03 Mi.

Total Mileage Abandoned from the Primary System: 0.26 Mi.

#####

CTB Decision Brief

Abandonment – Primary System of State Highways: Previously Discontinued Portions of Old Routes 19 and 58 Located in Russell County

Issue: An interested landowner has requested the abandonment of a total of 0.26 of a mile involving three segments of Old Routes 19 and 58 in Russell County and the County Board of Supervisors supports this abandonment and its approval by the Commonwealth Transportation Board (Board).

Facts: The State Highway Commission, predecessor to the Commonwealth Transportation Board, passed a resolution on April 29, 1971, discontinuing portions of Old Routes 19 and 58, upon the relocation of Routes 19 and 58. The three segments totaling 0.26 of a mile currently being requested for abandonment were included in the discontinuances approved in 1971.

The Russell County Board of Supervisors supports the abandonment of the segments totaling 0.26 of a mile of Old Routes 19 and 58 (segments identified as Old Route 19 “A – B,” 0.05 mile, Old Route 19 “B – C,” 0.18 mile, and Old Route 58 “B – D,” 0.03 mile noted in “Blue” on Exhibit B, attached). The resolution from the County, dated May 1, 2023, is attached as Exhibit A.

Upon review of the area, VDOT staff determined that the three segments totaling 0.26 of a mile of Old Routes 19 and 58 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 segments as public roadways.

Pursuant to and in accordance with § 33.2-902 of the *Code of Virginia*, the Virginia Department of Transportation published a “Notice of Proposed Road Abandonment” in the *Lebanon News* publication on February 1 and 8, 2023 (Exhibit C, attached). No request was received to hold a public hearing.

Recommendations: VDOT recommends the Board approve the abandonment of the three segments totaling 0.26 of a mile of Old Routes 19 and 58 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 segments to be abandoned is provided for the Board’s consideration.

Result if Approved: If approved, the segments of discontinued highway will no longer be available for use by the public. The right of way will be declared surplus and may be conveyed upon request.

Options: Approve, Deny or Defer

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

Exhibit A
Russell County Resolution

The Board of Supervisors of Russell County, in regular meeting on the 1st day of May 2023, adopted the following:

**RESOLUTION OF SUPPORT FOR ABANDONMENT OF
DISCONTINUED ROUTE 19 RIGHT OF WAY, HANSONVILLE**

WHEREAS, the Virginia Department of Transportation has notified the Russell County Board of Supervisors of its intent to abandon a previously discontinued section of old Route 19 from 0.05 mile west of the old Route 19/old Route 58 intersection to 0.18 mile east of the old Route 19/old Route 58 intersection, a distance of 0.23 mile; and, and a previously discontinued section of old Route 58 from Route 614 to the old Route 19/old Route 58 intersection, a distance of 0.03 mile; and

WHEREAS, the abandonment sketch, attached and incorporated herein as a part of this resolution, defines the adjustments required in the primary system of state highways as a result of the abandonment of said sections of old Route 19 and old Route 58, and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby concurs with and supports the Commonwealth Transportation Board's changes to the primary system of state highways as described herein and identified on the attached abandonment sketch, pursuant to §33.2-902 of the Code of Virginia, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

Moved By: Tim Lovelace
Seconded By: Steve Breeding
Yeas: 7
Nays: 0

A Copy Teste:

Jan Ann Helt
(Name), (Title)

Exhibit B Sketch of Proposed Segments to be Abandoned

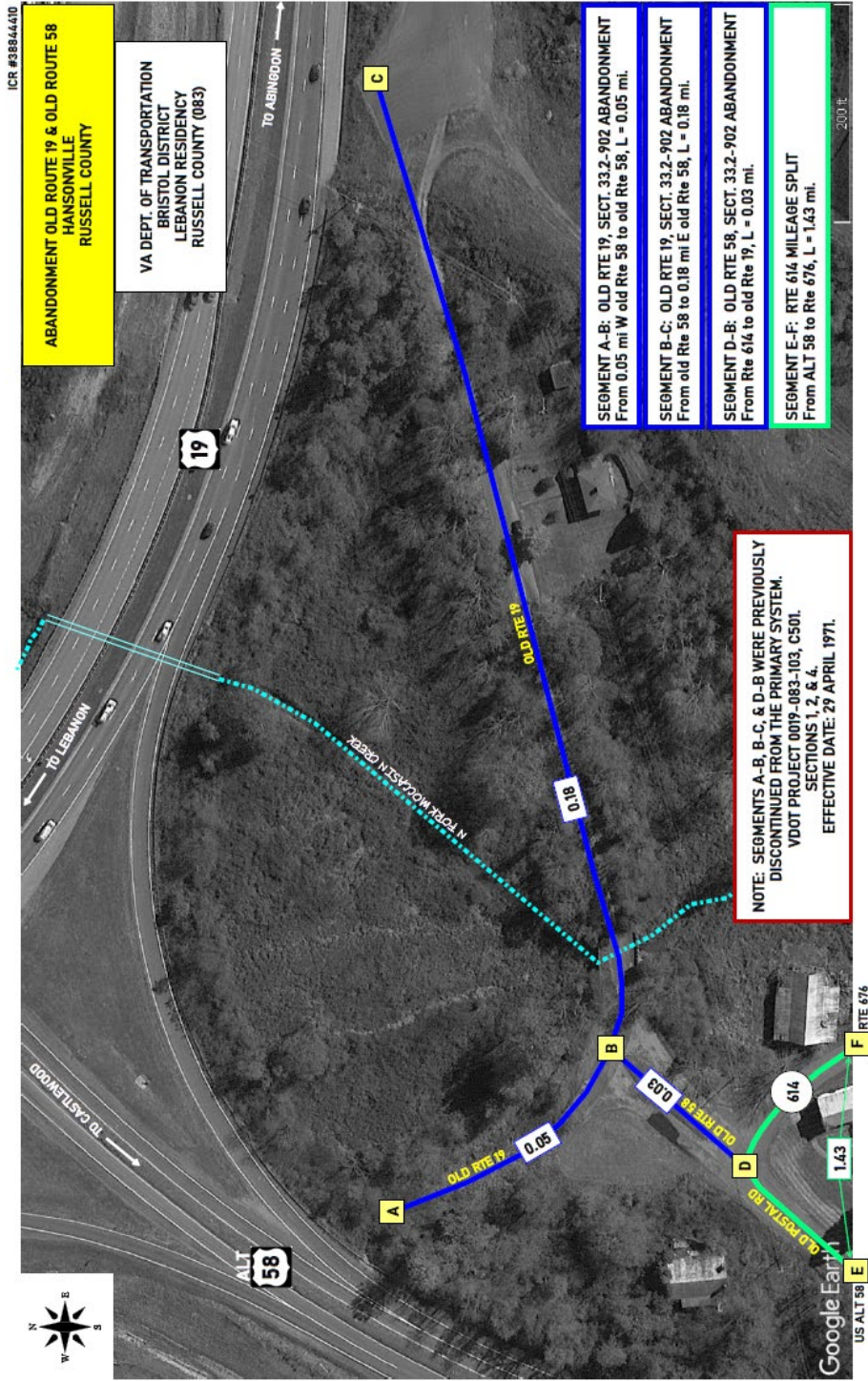



Exhibit C
“Notice of Proposed Road Abandonment”

Published in the *Lebanon News*
February 1 and 8, 2023



NOTICE OF PROPOSED ROAD ABANDONMENT
OLD ROUTE 19 & OLD ROUTE 58

Pursuant to §33.2-902 Code of Virginia, the Virginia Department of Transportation (VDOT) will consider abandonment of previously discontinued right of way at the intersection old Route 19 & old Route 58 in Hansonville. This matter is being considered by VDOT at the request of the adjoining landowner. Additional materials related to the proposed abandonment may be obtained by contacting the VDOT Lebanon Residency. Any affected landowner in the county wishing a public hearing be held by VDOT prior to its consideration of this proposed abandonment must submit a written request to the VDOT Lebanon Residency on or before March 3, 2023 to request a public hearing.

Virginia Department of Transportation
P.O. Box 127 (1067 Fincastle Rd)
Lebanon, VA 24266
276-889-7601
john.bolling@vdot.virginia.gov

2-1-21