



## 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 # 5*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 20, 2023

#### MOTION

**Made By:** Ms. Hynes, **Seconded By:** Mr. Kasprowicz

**Action:** Motion Carried, Unanimously

#### **Locality Land Conveyances, Various Streets** **City of Alexandria**

**WHEREAS**, section 33.2-907 of the *Code of Virginia* allows the Commonwealth Transportation Board to transfer (convey) to a locality, upon petition of said locality's governing body, real estate acquired incidental to the construction, reconstruction, alteration, maintenance or repair of the primary state highway system, which constitutes a section of public highway, and upon transfer such section of highway shall cease being a part of the primary state highway system; and

**WHEREAS**, the Commissioner of Highways, at the request of the City of Alexandria, exercised his power and authorized the Virginia Department of Transportation to acquire real estate as right of way for Project 0001-100-102, PE-101, RW-201 from various landowners; and

**WHEREAS**, an injunction was entered February 26, 1973, in the litigation styled *Live in a Favorable Environment, Inc. v. John Volpe, et al.* (E.D. Va.), which prevented Project 0001-100-102, PE-101, RW-201 from being constructed as originally proposed; and

**WHEREAS**, the project was ultimately re-designed and constructed as Project 0001-100-102, RW-203; and

**WHEREAS**, the City of Alexandria has requested by resolution dated June 28, 2022, attached hereto as Appendix A, conveyance of the real estate, which is in the City's Street system and has remained titled in the name of the Commonwealth as a part of the defunct Route 1, Project 0001-100-102, RW-201.

Resolution of the Board  
Locality Land Conveyances, Various Streets  
City of Alexandria  
September 20, 2023  
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**NOW, THEREFORE, BE IT RESOLVED** that, in accordance with § 33.2-907 of the *Code of Virginia*, conveyance of the real estate is approved as set forth and upon conveyance, the real estate shall no longer be a part of the primary state highway system, and 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.

####

## Commonwealth Transportation Board (CTB) Decision Brief

### Locality Land Conveyances, Various Streets City of Alexandria

**Issue:** The City of Alexandria has requested the conveyance of certain real estate acquired for State Highway Project 0001-100-102, RW-201. CTB approval is required by Va. Code § 33.2-907 (C), which allows the CTB to transfer (convey) to a locality, upon petition of said locality's governing body, real estate acquired incidental to the construction, reconstruction, alteration, maintenance, or repair of the primary state highway system, which constitutes a section of public highway. Upon such transfer, such section of highway shall cease being a part of the primary state highway system.

**Facts:**

- The Commissioner of Highways, at the request of the City of Alexandria, exercised his power and authorized the Virginia Department of Transportation (VDOT) to acquire real estate as right of way for State Highway Project 0001-100-102, RW-201 from various landowners.
- An injunction was entered February 26, 1973, in the litigation styled *Live in a Favorable Environment, Inc. v. John Volpe, et al.* (E.D. Va.), which prevented State Highway Project 0001-100-102, RW-201 from being constructed as originally proposed.
- The project was ultimately re-designed and constructed as State Highway Project 0001-100-102, RW-203.
- The City of Alexandria has petitioned by Resolution No. 3086, dated June 28, 2022, (attached hereto as Appendix A) for the transfer and conveyance, to the City of Alexandria, of such real estate in the City's street system that has remained titled in the name of the Commonwealth and was acquired for the defunct State Highway Project 0001-100-102, RW-201. (Note that, while Resolution No. 3086 cites to § 33.2-907 (B) as the relevant statutory authority, the conveyance shall proceed pursuant to § 33.2-907 (C) after consultation with the City.)
- This proposed conveyance has been reviewed and approved by VDOT's Northern Virginia District Engineer.

**Recommendations:** VDOT recommends that the real estate be conveyed to the City of Alexandria. Upon conveyance, such real estate shall cease to be part of the primary state highway system.

**Action Required by CTB:** The *Code of Virginia* § 33.2-907(C) requires a majority vote of the CTB authorizing the Commissioner to execute the deed. The CTB will be presented with a resolution for a formal vote.

**Result, if Approved:** If the resolution is approved, the Commissioner will be authorized to execute a deed to convey the real estate to the City of Alexandria.

**Options:** Approve, Deny, or Defer

**Public Comments/Reactions:** None

## RESOLUTION NO. 3086

**WHEREAS**, Section 33.2-907(B) of the Code of Virginia (1950), as amended, authorizes the Commonwealth Transportation Commissioner to acquire rights-of-ways for the construction, reconstruction, alteration, maintenance and repair of public highways within municipalities on projects which are constructed with State or Federal participation and subsequently convey such rights-of-ways to the requesting municipality; and

**WHEREAS**, Section 33.2-907(B) of the Code of Virginia (1950), as amended, further provides that the Commonwealth Transportation Commissioner may exercise such authority only upon receipt of an official request from the City involved with the project; and

**WHEREAS**, the Commonwealth Transportation Commissioner has previously exercised such power to acquire the necessary rights-of-ways for Project 0001-100-102, RW201 within the Corporate Limits of the City of Alexandria, and the City of Alexandria now requests that the Commonwealth Transportation Commissioner convey that right of way to the City of Alexandria; and

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
ALEXANDRIA, VIRGINIA**

On this date of June 28, 2022, the City Council of the City of Alexandria, Virginia, hereby requests the Commonwealth Transportation Commissioner (the "Commissioner") convey the title to the rights-of-ways and residual properties for Project 0001-100-102, RW201 within the Corporate Limits of said City to the City Council of Alexandria.

Adopted: June 28, 2022

  
\_\_\_\_\_  
**JUSTIN M. WILSON MAYOR**

ATTEST:

  
\_\_\_\_\_  
Gloria A. Sitton, CMC City Clerk

INDEX OF SHEETS

- 1. Title Sheet
- 2. Project Location Map
- 3. Mainline Typical Sections
- 4. Ramp Typical Sections (Incl. Sheet 4A)
- 5-6. Special Cross Sections
- 7. Sheet Index Plan
- 8-9. Geometric Layout Plans
- 10. Alignment Data
- 11-12. Reference Ties
- 13-23. Plans (Incl. Shts. 15A, B, C & 20A)
- 24-33. Profiles



COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HIGHWAYS

PLAN AND PROFILE OF PROPOSED  
STATE HIGHWAY

CITY OF ALEXANDRIA

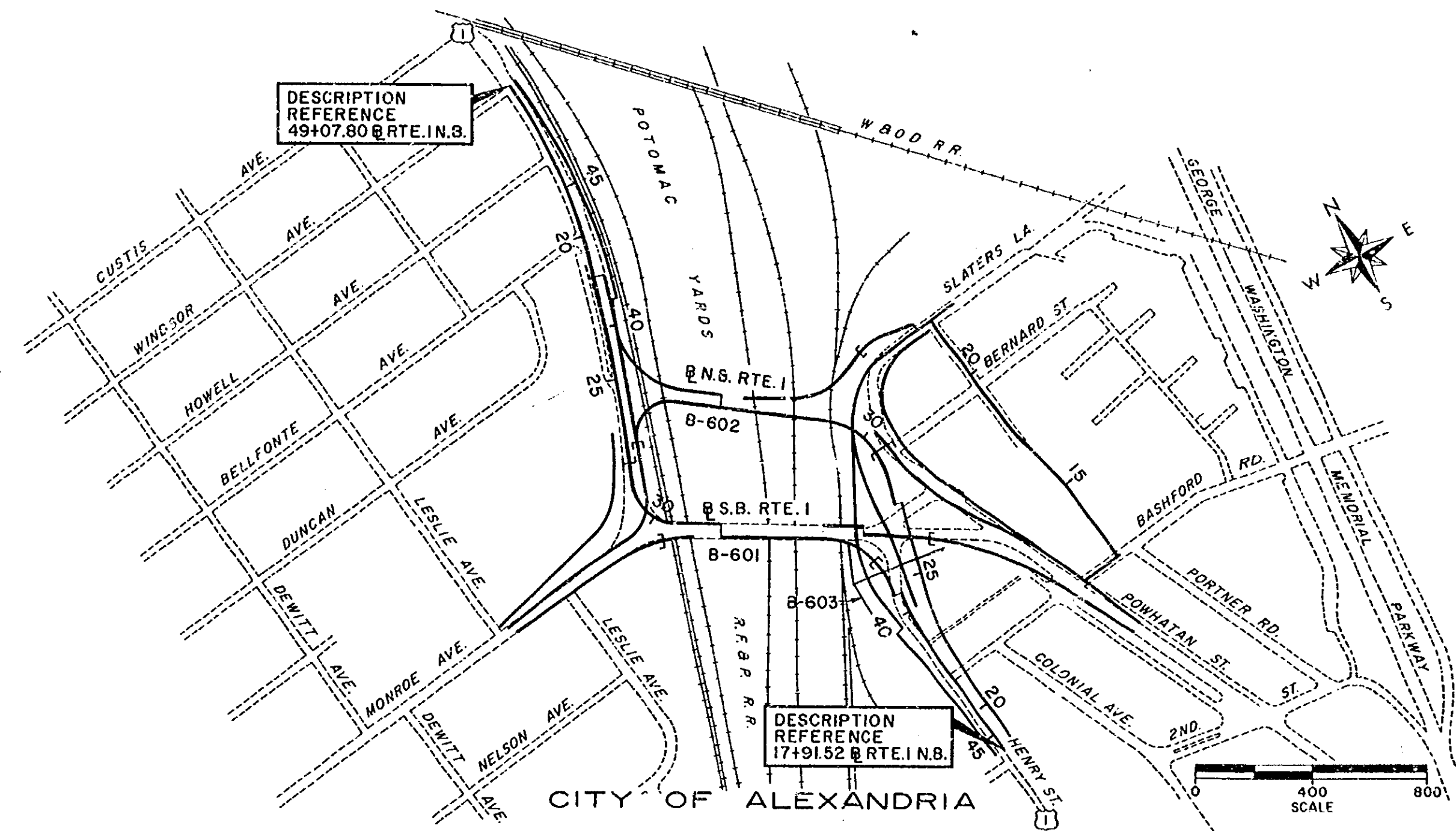
FROM: 0.066 MI. SOUTH INTERSECTION  
HENRY STREET AND BASHFORD ROAD  
TO: INTERSECTION JEFFERSON DAVIS  
HIGHWAY AND WINDSOR AVENUE

US ROUTE 1 POTOMAC YARDS BRIDGE AND APPROACHES

FOR DEMOLITION OF BUILDING	
CONT. NO.	SHEET NO.
I	1, 1A, 1B, 1C, 16, 22

F.P.R. REG. NO.	STATE	FEDERAL AID		STATE		SHEET NO.	TOTAL SHEETS
		ROUTE	PROJECT	ROUTE	PROJECT		
2	VA.	U-100-1(16)		1	0001-100-102, PE 0001-100-102, PE	1	38

DESIGN CLASSIFICATION				
URBAN-DIVIDED-ROLLING				
	RTL. I EAST	RTE. I WEST	POWHATAN ST.	MONROE ST.
ADT-1980	18,500	27,000	14,000	11,850
DHV	1,370	2,450	1,100	900
D	59%	62%	61%	67%
T	9%	9%	9%	9%
ADT-1990	27,200	42,200	20,000	20,100
DHV	2,720	4,220	2,000	2,010
D	57%	57%	56%	59%
T	11%	11%	11%	11%
V	30 MPH	30 MPH	25 MPH	25 MPH



PLANS FOR RIGHT-OF-WAY ACQUISITION ONLY

NOTE:  
THE GRID SYSTEM USED ON THIS PROJECT REFERS TO THE VIRGINIA PLANE COORDINATE SYSTEM, NORTH ZONE

PLANS PREPARED BY:  
HOWARD, NEEDLES, TAMMEN & BERGENDOFF  
CONSULTING ENGINEERS  
ALEXANDRIA, VA

SUBMITTED BY: *H.C. Lambert*

APPROVED  
DATE: 10/14/70  
DIRECTOR OF PUBLIC WORKS  
CITY OF ALEXANDRIA

RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION  
DATE: 10-21-70  
URBAN ENGINEER

DATE: 10-21-70  
LOCATION AND DESIGN ENGINEER

DATE: 10-27-70  
DIRECTOR OF ENGINEERING

DATE: 10-27-70  
DIRECTOR OF PROGRAMMING & PLANNING

APPROVED FOR RIGHT OF WAY ACQUISITION  
DATE: 10/27/70  
COMMISSIONER

APPROVED  
DATE: 11/17/70  
CONSULTING ENGINEER  
FEDERAL HIGHWAY ADMINISTRATION  
U.S. DEPARTMENT OF TRANSPORTATION

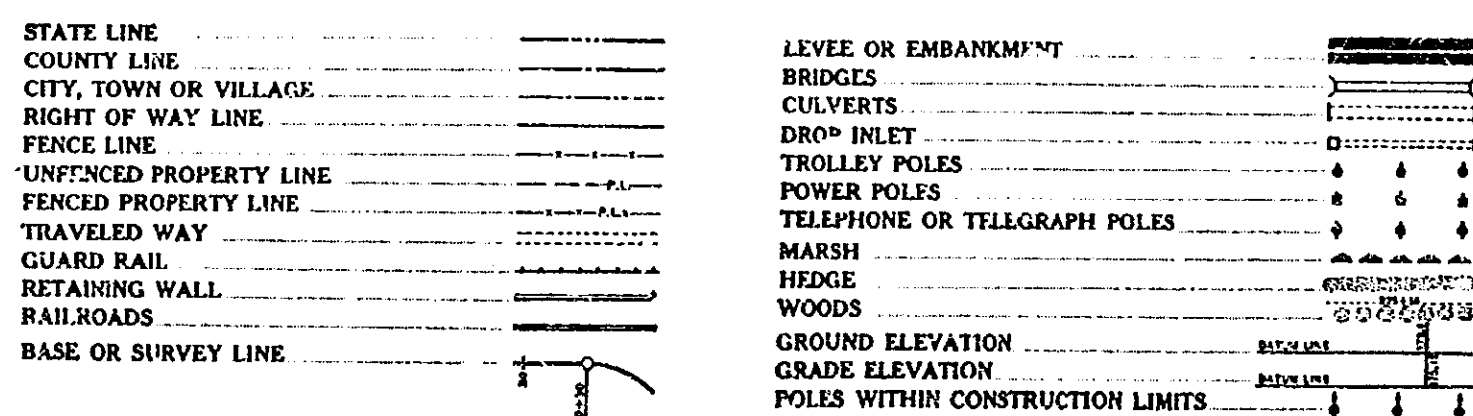
APPROVED FOR DEMOLITION OF BUILDINGS  
DATE: 11/17/70  
DEPUTY COMMISSIONER AND CHIEF ENGINEER

APPROVED FOR DEMOLITION OF BUILDINGS  
DATE: 11/17/70  
CONSULTING ENGINEER  
FEDERAL HIGHWAY ADMINISTRATION  
U.S. DEPARTMENT OF TRANSPORTATION

NOTE:  
THIS PROJECT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE VIRGINIA DEPARTMENT OF HIGHWAYS ROAD & BRIDGE SPECIFICATIONS DATED July 1, 1970 AND ROAD DESIGN & STANDARDS DATED Jan 1, 1972 AND INCLUDING ALL SUBSEQUENT REVISIONS.

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT.

CONVENTIONAL SIGNS



STATE PROJECT NOS.	CONTRACT NO.	SECTION	FEDERAL AID PROJECT NOS.	EQUALITIES FEET	Length Incl. Br. & Box Culvs.		Length Excl. Br. & Box Culvs.		TYPE PROJECT	DESCRIPTION
					FEET	MILES	FEET	MILES		
0001-100-102		PE-101 RW-201	U-100-1(16)	None None	3116, 28	0, 590	1973, 28	0, 374	RW	From 0.066 Mi. South of Intersection of Henry Street and Bashford Rd. To Intersection of Jefferson Davis Highway and Windsor Avenue
		B-601		None	932	0, 176	-	-	Bridge	Southbound Lanes over R.F.A.P. R.R.
		B-602		None	1143	0, 216	-	-	Bridge	Northbound Lanes over R.F.A.P. R.R.
		B-603		None	448	0, 085	-	-	Bridge	Pedestrian Overpass

NOTE: LENGTH OF PROJECT BASED ON R.T.E. I.N.B.

PLANS REVISED			
SHEET NO.	DATE	SHEET NO.	DATE
13, 14, 15, 22	3-29-71		
22, 23	3-28-71		
14	11-17-71		
16, 8, 17	12-20-71		
Added Sheet # 1	2-18-72		
13	3-1-72		
3, 13	3-29-72		
13	5-15-72		
32	5-18-72		
16, 17	5-21-74		
17	1-20-78		



Right of Way and Utilities

# Conveyance Report

Report Date: 7/28/2023 12:00:00 AM

Project Number		UPC		City / County		District		
0001-100-102, R201		N/A		Alexandria		Northern Virginia		
Parcel	Parcel Name	Plan Sheet	Instrument Type	Record Dt.	Recordation Reference	Plat Book	Plat Page	Comments
1	Chaiken, Albert and Eva W.	1	Certificate	6/25/1970	Deed Book: 711, Page: 486	1	263	
			Final Order	4/19/1971	Deed Book: 722, Page: 158			
2	Androus, A.T.	1	Certificate	12/18/1970	Deed Book: 718, Page: 229	1	264	
			Final Order	8/4/1971	Deed Book: 727, Page: 295			
3	Epstein, Alvin and Louella	1	Deed	5/9/1969	Deed Book: 698, Page: 137	1	259	
5	Williams, Ralph E. and Myatte V.	13	Deed	12/28/1971	Deed Book: 746, Page: 785	1	307	
7	Goodman, Harry and Sara T.	13	Deed	1/7/1972	Deed Book: 739, Page: 146	1	294	
8	Gallagher, Raymond and Mary B.	13	Deed	4/21/1972	Deed Book: 743, Page: 464	1	300	
16	Johnson, Morris L.	14	Deed	6/8/1972	Deed Book: 742, Page: 629			Plan sheet recorded behind the deed, and is not recorded in the State Highway Plat Book.
19	Griffin, Arthur P. and Anna A.	16, 29	Certificate	1/7/1972	Deed Book: 736, Page: 150	1	284	
			Final Decree	4/24/1972	Deed Book: 739, Page: 690			
22	Dowell, Joyce Ann and Clarence	17	Certificate	9/15/1972	Deed Book: 747, Page: 651	1	308	
			Final Decree	10/22/1973	Book: 11, Page: 107			
23	Hinkle, Frances M.	16	Deed	1/31/1972	Deed Book: 745, Page: 499	1	306	
24	Cox, A. Melville and Anita T.	17	Deed	4/13/1973	Deed Book: 771, Page: 615	1	317	
25	Roberts, Edward J. Jr. and Naomi S.	17	Deed	2/14/1973	Deed Book: 740, Page: 495	1	297	
27	Potomac Cast Stone, Inc.	14	Deed	4/17/1972	Deed Book: 743, Page: 323			Plan sheet recorded behind the deed, and is not recorded in the State Highway Plat Book.
29	Shepard, Lila Carter	17	Deed	2/28/1972	Deed Book: 748, Page: 323	1	312	
31	Faegelson, Bernard M.	20	Certificate	1/21/1972	Deed Book: 738, Page: 78	1	287	
			Final Order	8/13/1991	Book: 1137, Page: 1198			
51	Mclvaine, James L. and Lillian	22	Deed	3/29/1972	Deed Book: 742, Page: 277	1	299	Less and Except portion conveyed to the City of Alexandria by deed dated November 10, 2015.
52	City of Alexandria, Sanitation Authority	22, 23	Deed	6/22/1972	Deed Book: 744, Page: 596	1	301, 302	Less and Except portion conveyed to the City of Alexandria by Deed dated November 10, 2015. Another portion conveyed to Howell Properties, LLC by Deed dated November 15, 2012.

# Conveyance Report

Report Date: 7/28/2023 12:00:00 AM

Project Number		UPC	City / County		District			
0001-100-102, R201		N/A	Alexandria		Northern Virginia			
Parcel	Parcel Name	Plan Sheet	Instrument Type	Record Dt.	Recordation Reference	Plat Book	Plat Page	Comments
53	Cohen, William and Rosalie	14	Certificate	1/6/1972	Deed Book: 735, Page: 446	1	283	
			Final Decree	3/25/1974	Deed Book: 773, Page: 832			
54	Epstein, Alvin and Louella	17	Certificate	3/14/1972	Deed Book: 738, Page: 652	1	289	
			Final Order	3/7/1973	Book: 74, Page: 144			
57	Shapiro, Florence Auslander	22	Certificate	2/14/1972	Deed Book: 737, Page: 179	1	286	
			Final Order	6/26/1972	Book: 78, Page: 826			
59	Sadouskas, Anthony J.	15	Certificate	3/17/1972	Deed Book: 739, Page: 5	1	291	
			Final Decree	3/29/1974	Deed Book: 774, Page: 288			
62	Roberts, Edward J. Jr. and Naomi S.	17	Deed	5/15/1972	Deed Book: 740, Page: 449	1	298	