



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Pierce R. Homer  
Chairman

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*Agenda item # 11-A*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 20, 2007

#### MOTION

**Made By: Mr. Martin      Seconded By: Mr. Koelemay**  
**Action: Motion Carried, Unanimously**

**Title: Limited Access Control Changes**  
**Route 297 Re-designated as Route 460 and Route 777**  
**Bedford County**

**WHEREAS**, Route 297, between the east Bedford County line and Route 777, in Bedford County, was designated as a Limited Access Highway by the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), on July 18, 1968; and

**WHEREAS**, Route 297, within Bedford County, was re-designated as Route 460 by the State Highway Commission, predecessor to the CTB, on December 17, 1970; and

**WHEREAS**, in connection with a section of Route 460, State Highway Project 6297-009-103, RW-203, which is located between the aforesaid locations, the Commonwealth acquired certain lands and limited access easements from Evelyn Graham Kinzer, widow, by Deed dated September 23, 1968, recorded in Deed Book 352, Page 200, in the Office of the Clerk of the Circuit Court of Bedford County, Virginia; and

**WHEREAS**, said Deed reserved a certain location for access to the remainder of said lands, which lies northeast of and adjacent to the northeast Route 460 westbound lane proposed right of way and limited access line, said access consisting of 50 feet in length between Station 88+50 (Route 460 westbound lane centerline) and Station 89+00 (Route 460 westbound lane centerline); and

**WHEREAS**, the said remaining lands have been identified for development; and

**WHEREAS**, the Developers of said remaining lands have identified and requested limited access control changes to close the aforesaid 50-foot access location and relocate access for the property approximately 340 feet northwest along the Route 460 westbound lane northeast proposed right of way and limited access line to approximately 25 feet, more or less, on either side of approximate Station 85+59.88, consisting of approximately 50 feet, more or less, in length, without median break or signalization, allowing right in, right out only traffic movements, and with a right turn deceleration lane, as required, to accommodate the proposed development; and

**WHEREAS**, the County, by letter dated February 1, 2007, supports the request for the limited access control changes; and

**WHEREAS**, the Virginia Department of Transportation (VDOT) has determined that the proposed limited access control changes to close the aforesaid existing 50-foot access location and relocate access for the property approximately 340 feet northwest along the Route 460 westbound lane northeast proposed right of way and limited access line to consist of approximately 25 feet, more or less, on either side of approximate Station 85+59.88, comprising approximately 50 feet, more or less, in length, without median break or signalization, allowing right in, right out only traffic movements, with a right turn deceleration lane and safety improvements, as required, are appropriate for said proposed entrance from a design standpoint subject to further review and approval; and

**WHEREAS**, VDOT has determined that the said proposed limited access control changes without median break or signalization, allowing right in, right out only traffic movements, with a right turn deceleration lane, and safety improvements, as required, are appropriate from a safety and traffic control standpoint subject to further review and approval; and

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

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

**WHEREAS**, all costs of engineering and construction, including all necessary safety improvements, will be borne by the Developer for the limited access control changes, and the previously agreed participation in costs for engineering, equipment and construction of signalization at Route 777; and

**WHEREAS**, VDOT's staff has determined that the proposed limited access control changes for the relocation of access to the said property shall not impact the value of said property, and the State Director, Right of Way and Utilities Division has concurred in this determination; and

**WHEREAS**, the Developer shall convey to the Commonwealth an easement of access, air and light, for the existing limited access break located on the northeast side of the Route 460 westbound lane proposed right of way and limited access line consisting of 50 feet in length between Station 88+50 (Route 460 westbound lane centerline) and Station 89+00 (Route 460 westbound lane centerline) without compensation, upon approval and completion of the proposed Route 460 limited access control changes and the granting of an entrance permit along Route 460 in exchange for the conveyance of the easement of access, air and light, for the relocated limited access break consisting of approximately 25 feet, more or less, on either side of approximate Station 85+59.88, comprising approximately 50 feet, more or less, in length, by the Commonwealth; and

**WHEREAS**, a public notice was posted and closed June 13, 2007, with no adverse comments received; and

**WHEREAS**, the proposed limited access changes are in compliance with the Commonwealth Transportation Board Policy; and

**WHEREAS**, upon completion and acceptance of the proposed access changes, entrance, right turn deceleration lane, signalization and safety improvements, as required, by VDOT, all work, roadway construction, improvements and equipment will become the property of the Commonwealth.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with the provisions of Section 33.1-58 of the *Code of Virginia* (1950), as amended, the CTB hereby approves the said limited access changes for public street purposes as set forth and subject to the above referred to conditions. The Commonwealth Transportation Commissioner is hereby authorized to execute any and all documents needed to comply with this resolution.

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