

MINUTES
OF
MEETING OF STATE HIGHWAY AND TRANSPORTATION COMMISSION

Richmond, Virginia

January 19, 1984

The monthly meeting of the State Highway and Transportation Commission was held in the Central Office in Richmond, Virginia, on January 19, 1984, at 10:15 a.m. The chairman, Mr. Harold C. King, presided.

Present: Messrs. King, Brydges, Davidson, Forrester, Guiffre, Quicke, Smalley and Vaughan.

Absent: Messrs. Bane, Humphreys, and Smith.

On motion of Mr. Brydges, seconded by Mr. Smalley, the minutes of the meeting of December 15, 1983, were approved.

On motion of Mr. Brydges, seconded by Mr. Smalley, permits issued from December 15, 1983, to January 18, 1984, inclusive, as shown by records of the Department, were approved.

Motion was made by Mr. Brydges, seconded by Mr. Smalley, that cancellation of permits from December 15, 1983, to January 18, 1984, inclusive, as shown by records of the Department, be approved.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Smalley, that the Commission approve additions to the Secondary System from December 15, 1983, to January 18, 1984, inclusive, as shown by records of the Department.

Motion carried.

Mr. King asked the Commission if they would be receptive to a breakfast meeting in Washington with members of Virginia's congressional delegation. This would afford the opportunity of discussion of some of the Commission's concerns and vice versa. There was no objection, and Mr. King indicated he would proceed with plans.

Mr. Guiffre commended the workers in his area for their snow removal efforts and for the relaxation of the HOV restrictions on I-66, enabling traffic to move freely during the bad weather.

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Moved by Mr. Brydges, seconded by Mr. Smalley,
that the Commission confirm letter ballot action on the following
resolution:

WHEREAS, under authority of Section 33.1-43 of the Code of Virginia of 1950, as amended, request is made by the Town of Marion for maintenance payments on additional streets meeting required standards;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the Town of Marion on additional streets, totaling 0.56 mile, and meeting required standards under the aforementioned section of the Code, effective January 1, 1984, for quarterly payments due after March 31, 1984. The additional streets and mileage eligible for payments are described as follows:

Horne Avenue	From: West Chilhowie Street To: 965 Feet North of West Chilhowie Street	0.18 Mi.
Lyndale Street	From: Greenway Avenue To: 475 Feet to Douglas Street	0.09 Mi.
Douglas Street	From: Lyndale Street To: 1,230 Feet to Severt Street	0.24 Mi.
Dover Street	From: Wolfe Avenue To: 275 Feet to Prescott Avenue	0.05 Mi.

These "Other Streets" additions, totaling 0.56 mile, increase the total "Other Streets" mileage in the Town of Marion from 26.23 miles to 26.79 miles of approved streets subject to payment.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Guiffre,
that

WHEREAS, Chapter 622 of the Acts of the General Assembly of 1983 contains a discretionary allocation fund for supporting local public transportation costs for all areas of the Commonwealth and requires authorization by the Commission before these funds can be utilized; and

WHEREAS, these funds may be used to support a maximum of 95% of the costs borne by the localities for the purchase of fuels, lubricants, tires, and maintenance parts and supplies for public transportation; and

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WHEREAS, the Town of Bluefield operates a public transportation system and has requested state assistance for eligible public transportation costs; and

WHEREAS, the Town of Bluefield has applied for \$5,500 in state assistance for 95% of the costs borne by the locality for the purchase of fuels, lubricants, tires, and maintenance parts and supplies for public transportation;

NOW, THEREFORE, BE IT RESOLVED that the State Highway and Transportation Commission authorizes \$5,500 in state aid for public transportation from Chapter 622, Item 644.C11 of the Acts of the General Assembly of 1983, to the Town of Bluefield, and that the Deputy Commissioner may obligate additional assistance, if necessary, to match revisions to this project.

Motion carried.

Moved by Mr. Smalley, seconded by Mr. Quicke, that

WHEREAS, Chapter 622 of the Acts of the General Assembly of 1983 contains a discretionary allocation fund for supporting local public transportation costs for all areas of the Commonwealth and requires authorization by the Commission before these funds can be utilized; and

WHEREAS, these funds may be used to support a maximum of 95% of the local or nonfederal share of capital project costs for public transportation and ridesharing equipment facilities and associated costs; and

WHEREAS, the City of Winchester operates a public transportation system and has requested state assistance for eligible public transportation costs; and

WHEREAS, the City of Winchester has applied for \$34,615 in state capital assistance to support 95% of the local or nonfederal share of additional capital costs needed for the construction of a bus maintenance and storage facility;

NOW, THEREFORE, BE IT RESOLVED, that the State Highway and Transportation Commission authorizes \$34,615 in state aid for public transportation from Chapter 622, Item 644.C11 of the Acts of the General Assembly of 1983, to the City of Winchester, and that the Deputy Commissioner may obligate additional assistance, if necessary, to match revisions to this project.

Motion carried.

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Moved by Mr. Vaughan, seconded by Mr. Davidson,
that

WHEREAS, Chapter 622, Item 644.C13 of the Acts of the 1983 General Assembly provides financial assistance for local governing bodies, planning district commissions, transportation district commissions, or public corporations to aid in public transportation promotion, operation studies and ridesharing support; and

WHEREAS, Roanoke County has submitted a proposal to the Department for Section 18 technical assistance funds to perform a needs assessment for public transportation in the county; and

WHEREAS, the funds in Item 644.C11 can be transferred to Item 644.C13; and

WHEREAS, the funds in Item 644.C13 can be used to match Section 18 technical assistance funds; and

WHEREAS, the governing body of Roanoke County has certified that the federal and state funds shall be used in accordance with the requirements of the grant programs and will provide the required dollar-for-dollar match of state funds; and

WHEREAS, the Public Transportation Division has evaluated the proposal with regard to need, reasonableness, local support, and implementation capability of the applicant; and

WHEREAS, the Commission shall approve the allocation of funds requested for this type of project;

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby directs that \$6,000 in state technical assistance match be allocated to Roanoke County to support a needs assessment for public transportation in the county.

Source of Funding:

Federal Section 18	\$4,800
Technical Assistance	
State Technical Assistance	600
Local	<u>600</u>
Total	\$6,000

Motion carried.

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Moved by Mr. Guiffre, seconded by Mr. Davidson,
that

WHEREAS, Chapter 622, Item 644.C13 of the 1983 General Assembly provides funds for local governing bodies, planning district commissions, transportation district commissions, and public corporations to support up to 50% of the local share of public transportation promotion and operation studies; and

WHEREAS, the City of Charlottesville has submitted a request to the Department for state technical assistance funds to match a Section 9A planning grant to study the feasibility of a multimodal transportation center for Charlottesville; and

WHEREAS, the governing body of the City of Charlottesville has certified that, if their proposal is approved, they shall use the state technical assistance funds in accordance with the grant program; and

WHEREAS, the staff of the Public Transportation Division has evaluated the proposal and recommends funding for this proposal;

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Highway and Transportation Commission hereby authorizes that \$2,000 in Item 644.C9 be transferred to Item 644.C13 and be allocated to the City of Charlottesville to assist in conducting a study of the feasibility of a multimodal transportation facility.

Motion carried.

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Moved by Mr. Brydges, seconded by Mr. Smalley, that the Commission confirm letter ballot action on the following resolution:

WHEREAS, Route 42 in Smyth County has been altered and reconstructed as shown on plans for Project 0042-086-103, C-501; and

WHEREAS, one section of the old road, designated as Section 3 on the plat dated July 9, 1975, is no longer necessary as a public road, the new road serving the same citizens as the old; and

WHEREAS, at its meeting September 30, 1975, this Commission authorized the discontinuance of said section of road as provided in Section 33.1-144 of the Code of Virginia of 1950, as amended;

NOW, THEREFORE, BE IT RESOLVED, that the action at the September 30, 1975, meeting authorizing discontinuance of the aforementioned Section 3 of Route 42 in Smyth County be rescinded; and

BE IT FURTHER RESOLVED, that pursuant to Section 33.1-148 of the Code of Virginia of 1950, as amended, 0.17 mile of old Route 42 shown in blue and designated as Section 3 on the plat dated July 9, 1975, Project 0042-086-103, C-501, be abandoned as a part of the State Highway System.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Smalley, that the Commission confirm letter ballot action on the following resolution:

WHEREAS, by proper resolutions, the Boards of Supervisors of Henry and Southampton Counties have requested that certain roads which no longer serve as a public necessity be discontinued as parts of the Secondary System of Highways;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 33.1-150 of the Code of Virginia of 1950, as amended, the following roads be discontinued as parts of the Secondary System of Highways, effective this date:

Henry County	Section 1, 2 and 3 of old location Routes 875 and 887 between Station 142+50 and Station 159+00, Project 0058-044-104, C-502.	0.21 Mile
Southampton County	Section 1 of old location Route 635 from Station 119+90 to Station 128+40, Project 0635-087-180, M-503.	0.16 Mile

Motion carried.

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Moved by Mr. Quicke, seconded by Mr. Vaughan,
that

WHEREAS, R. Ellis Hannum was a highly respected and active county citizen during his lifetime in Fluvanna County; and

WHEREAS, the Fluvanna County Historical Society recommended to the Fluvanna County Board of Supervisors that the new bridge on Route 600 over the Rivanna River in the area of Crofton be named to honor R. Ellis Hannum; and

WHEREAS, the Fluvanna County Board of Supervisors did by unanimous vote accept the recommendation and forwarded a resolution regarding same to the Virginia Department of Highways for action by this Commission; and

WHEREAS, the County Board of Supervisors has by that resolution agreed to pay the cost and expense incident to the placement of an appropriate marker on said bridge; and

WHEREAS, it is the desire of this Commission to honor this exceptional citizen, who died on November 13, 1972;

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Highway and Transportation Commission, in accordance with the authority entrusted under Section 33.1-250 of the Code of Virginia, does hereby declare that the bridge on Route 600 over the Rivanna River, in the area of Crofton in Fluvanna County, be named the R. Ellis Hannum Bridge.

Motion carried.

Moved by Mr. Guiffre, seconded by Mr. Vaughan,
that

WHEREAS, in response to a formal request by the Prince William County Board of Supervisors that the portions of Smoketown Road (Route 642) and Dale Boulevard (Route 784 Extended), between Route 1 and Route 95, be considered for restriction to through truck traffic pursuant to the provisions of Section 46.1-171.2 of the Code of Virginia, this matter has been carefully reviewed; and

WHEREAS, due consideration was given to the recommendations, traffic study results and past practices of the Department, including this Commission's action of April 20, 1978, rejecting an earlier similar request; and

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WHEREAS, this road serves a high volume of mixed traffic and does not traverse purely residential areas; and

WHEREAS, based on traffic studies of the affected area, a reasonable alternate route is not available;

NOW, THEREFORE, BE IT RESOLVED, that the Commission regrets it must deny the requested restriction of Route 642 and Route 784 Extended between Route 1 and Route 95.

Motion carried.

Moved by Mr. Guiffre, seconded by Mr. Brydges,
that

WHEREAS, in accordance with the provisions of Section 33.1-46.2 of the Code of Virginia, the State Highway and Transportation Commission may designate one or more lanes of any highway in the Interstate, Primary or Secondary Systems as commuter lanes for the exclusive use of buses and motor vehicles transporting multiple occupants to facilitate the rapid and orderly movement of traffic to and from urban areas during peak periods; and

WHEREAS, the outermost lanes of Arlington Boulevard (Route 50) in Arlington and Fairfax Counties have been designated as commuter lanes since October 1978; and

WHEREAS, it is the Commission's finding that utilization of these commuter lanes by buses and carpools has been declining since the opening of I-66 between the Capital Beltway and Rosslyn, and the extension of Metrorail service to the Ballston Station in Arlington County; and

WHEREAS, the lanes also experience an unacceptably high violation rate;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the authority granted under the provisions of Section 33.1-46.2, the Commission hereby rescinds its actions of November 19, 1978, designating the Route 50 commuter lanes; and

BE IT FURTHER RESOLVED, that all markings and signs applying to the commuter lanes be removed, and that the lanes be returned to general service.

Motion carried.

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Moved by Mr. Smalley, seconded by Mr. Quicke,
that

WHEREAS, Section 33.1-221 of the Code of Virginia provides a fund for fiscal year 1983-84 to "...be expended by the Commission for constructing, reconstructing, maintaining or improving access roads within counties, cities and towns to industrial sites on which manufacturing, processing or other establishments will be built under firm contract or are already constructed and to publicly owned airports..."; and

WHEREAS, The Dinwiddie County Board of Supervisors has, by resolution, requested industrial access funds to serve CCP Manufacturing Corporation located off Route 684 at the Petersburg Airport, estimated to cost \$10,000; and

WHEREAS, it appears that this request falls within the intent of Section 33.1-221 and has complied with the provisions of the Highway and Transportation Commission's policy on the use of industrial access funds;

NOW, THEREFORE, BE IT RESOLVED, that \$10,000 of the 1983-84 Industrial Access Fund be allocated to provide adequate access to the proposed facility of CCP Manufacturing Corporation in Dinwiddie County, Project 0684-026-208, M-502, contingent upon (1) the industry's entering into a firm contract for the construction of its facilities, and (2) the necessary right of way and utility adjustments being made at no cost to the Commonwealth.

Motion carried.

Moved by Mr. Brydges, seconded by Dr. Forrester,
that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the State Highway and Transportation Commission, a Location and Design Public Hearing was held on September 28, 1978, for the purpose of considering the proposed location and major design features of State Route 144 (Temple Avenue Extension) from the intersection of U.S. Route 1 in Colonial Heights to the intersection of State Route 36, west of the West Corporate Limits of Hopewell, in the City of Colonial Heights and the counties of Chesterfield and Prince George, State Projects 0144-106-101, C-501, B-601; 0144-020-103, B-601, B-603; 0144-074-101, C-501, B-601, B-602; and

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WHEREAS, the location and major design features of the three aforementioned projects were approved by this Commission on June 22, 1979; and

WHEREAS, changed conditions required additional studies on State Project 0144-074-101, C-501, in Prince George County; and

WHEREAS, in accordance with the provisions of Section 128 of Title 23 - Highways, United States Code, and FHPM 7-7-5, a Location and Design Public Hearing was held in the Hopewell High School in the City of Hopewell, Virginia, on November 28, 1983, at 7:30 p.m., for the purpose of reconsidering the proposed location and major design features of State Route 144 (Temple Avenue Extension) in Prince George County from the east end of the proposed bridge over the Appomattox River to the intersection of State Route 36 at the Sixth Street entrance to Fort Lee, State Project 0144-074-101, C-501; Federal Project F-078-1(); and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence along with all other, has been carefully reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the location and design approval of June 22, 1979, be rescinded for State Project 0144-074-101, C-501, in Prince George County; and

BE IT FURTHER RESOLVED, that the location and major design features of State Project 0144-074-101, C-501, be approved in accordance with the plan for Line 11 as proposed and presented at the Location and Design Public Hearing by the Department's Engineers on November 28, 1983, and amended to include, if feasible, a relocation of Secondary Route 685 to connect with Secondary Route 684 instead of Secondary Route 645 and provisions for a roadway under State Route 144 at the Norfolk and Western Railway spur line bridge to retain traffic continuity for the operations of Lone Star Cement, Inc.; and

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BE IT FURTHER RESOLVED, that the limited access designation remains on State Route 144, State Project 0144-074-101, C-5D1, as declared by this Commission on June 22, 1979.

Motion carried.

Moved by Mr. Quicke, seconded by Mr. Smalley,
that

WHEREAS, a question has arisen as to enforcement of axle weights under Va. Code § 46.1-339(d) and the applicability of the Federal Bridge Formula to lengths not specifically delineated in the weight table found in that statute; and

WHEREAS, in response to a request from the State Highway and Transportation Commissioner, the Attorney General, by official opinion dated December 21, 1983, has opined that the Federal Bridge Formula is preemptive on the Interstate System of Highways and could be applied on other highways in the Commonwealth as not inconsistent with State law; and

WHEREAS, the Federal Highway Administration has indicated that the rounding upward of intermediate lengths not specifically delineated in the aforementioned tables to the next highest weight listed would be keeping with the Federal Bridge Formula;

NOW, THEREFORE BE IT RESOLVED, that the Virginia Department of Highways and Transportation is hereby authorized to administer and apply the axle weights found in Va. Code § 46.1-339 in a manner consistent with the Opinion of the Attorney General to Harold C. King dated December 21, 1983 and the requirements of the Federal Bridge Formula as interpreted by the Federal Highway Administration.

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Brydges,
that

WHEREAS, the staff of the Joint Legislative Audit and Review Commission has conducted a lengthy and comprehensive study of the statutes and procedures which govern the allocation of highway and public transportation funds; and

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WHEREAS, the conclusions of the staff report became available for review in an exposure draft report dated December 1, 1983, and have been published in draft form as House Document No. 11 for the 1984 session of the General Assembly; and

WHEREAS, the report proposes extensive changes in the allocation statutes and procedures which should be considered carefully by all who may be affected by such changes prior to their being acted upon; and

WHEREAS, members of the Highway and Transportation Commission believe an additional period of time for review of the report would permit broader public understanding and more thorough deliberation by local governing bodies and others of all the issues involved in such changes; and

WHEREAS, such additional time would also permit further study to include medium- and long-range financial analyses of the proposed changes;

NOW, THEREFORE, BE IT RESOLVED, that the Highway and Transportation Commission respectfully requests deferral of decisions on recommendations contained in the JLARC staff report to allow further discussion and consideration of the report in its entirety, and believes the public interest would be best served through such deferral; and

BE IT FURTHER RESOLVED, that the Highway and Transportation Commission supports Senate Joint Resolution No. 20, which requests the appointment of a joint subcommittee of General Assembly members to review the JLARC staff recommendations concerning such financing changes.

Motion carried.

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Moved by Mr. Guffre, seconded by Mr. Quicke, that .

WHEREAS, on July 6, 1983, Central Oil Asphalt Corporation and its president, Charles Knowlton, was convicted of violating the Sherman Antitrust Act in sales of bituminous emulsion to the Pennsylvania Department of Transportation; and

WHEREAS, on September 9, 1983, Commissioner Harold C. King debarred Central Oil from doing business with the Virginia Department of Highways and Transportation as a supplier as a result of such conviction; and

WHEREAS, Central Oil, through the sworn testimony of its employees, including Mr. Knowlton, has represented that it has not been involved in any collusion in Virginia, has adopted an Antitrust Compliance Program to prevent future illegalities and has cooperated with the Department in seeking reinstatement in Virginia by fully explaining its past activities in the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED, that based upon the above, the representations of Central Oil, the record now before us, and the public interest in obtaining materials for the Commonwealth at the best price possible, Central Oil's debarment is hereby lifted so as to permit Central Oil to do business with the Department as a supplier, both directly and indirectly; and

BE IT FURTHER RESOLVED, that such reinstatement shall be probationary for a period of five years ending January 19, 1989.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Smalley, that the Commission confirm letter ballot action on the following resolution:

WHEREAS, in accordance with the provisions of Section 33.1-46.2 of the Code of Virginia, the State Highway and Transportation Commission may designate one or more lanes of any highway in the Interstate, Primary or Secondary Systems as commuter lanes for the exclusive use of buses and motor vehicles transporting multiple occupants to facilitate the rapid and orderly movement of traffic to and from urban areas during peak periods; and

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WHEREAS, on January 20, 1983, the Commission designated the eastbound and westbound roadways of I-66 from the Capital Beltway (I-495) to Rosslyn as commuter lanes; and

WHEREAS, the Congress of the United States has passed and the President has signed into law S. 505, which requires that the Secretary of Transportation, in cooperation with the Commonwealth of Virginia, is to carry out for a period of not less than 12 months a demonstration project on I-66 between I-495 and the District of Columbia, whereby use of said highway shall be restricted to high occupancy vehicles carrying three or more passengers during the following periods: Monday through Friday, exclusive of holidays, eastbound 7:00 a.m. to 9:00 a.m., and westbound 4:00 p.m. to 6:00 p.m.;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the authority granted under the provisions of Section 33.1-46.2 and in accordance with S. 505, the eastbound and westbound roadways of I-66 shall be designated as commuter lanes from the Capital Beltway (I-495) to Rosslyn for use by emergency vehicles, buses, commuters in vehicles occupied by three or more persons, and traffic traveling to and from Dulles International Airport via the Dulles Airport Access Road Connector, during the following periods: Monday through Friday, exclusive of holidays, eastbound 7:00 a.m. to 9:00 a.m., and westbound from 4:00 p.m. to 6:00 p.m.; and

BE IT FURTHER RESOLVED, that these amended regulations are to be effective January 3, 1984, and that the necessary signs and markings are to be erected by that date.

Motion carried.

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Moved by Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 60 (formerly Route 14), State Highway Project 592-A, the Commonwealth acquired certain lands from C. M. Ware and Kate S. Ware by deed dated May 14, 1931, recorded in Deed Book 155, Page 396 in the Office of the Clerk of the Circuit Court of Pockbridge County; and

WHEREAS, the adjacent landowner has requested that the Commonwealth convey to her the excess right of way, so acquired, in order that she may more fully enhance the adjacent property; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing the excess land containing approximately 1.00 acre, more or less, and lying west of the west normal right of way limits of Route 60, from a point approximately 70 feet left of approximate Station 157+10 (EBL centerline Route 60, Project 0060-081-101, RW-201) to a point approximately 65 feet left of approximate Station 159+02 (EBL centerline Route 60, Project 0060-081-101, RW-201) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is hereby approved and the State Highway and Transportation Commissioner is authorized to execute in the name of the Commonwealth a deed conveying same for a consideration acceptable to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 66, State Highway Project 0066-000-102, RW-202, the Commonwealth acquired certain lands from Frank E. Duvall and Margaret M. Duvall by instrument dated August 18, 1966, recorded in Deed Book 1630, Page 573, case for

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which has been concluded; Paul T. Doyle and Mabel O. Doyle by instrument dated September 1, 1966, recorded in Deed Book 1632, Page 376, case for which has been concluded; Robert E. Carter and Olive M. Carter by instrument dated August 18, 1966, recorded in Deed Book 1631, Page 550; case for which has been concluded; John Leman Harrison; Estate by deed dated August 24, 1966, recorded in Deed Book 1636, Page 587; Weston G. Wills by instrument dated March 8, 1966, recorded in Deed Book 1615, Page 515, case for which has been concluded; Rachel Hendrick White, et al by instrument dated July 25, 1966, recorded in Deed Book 1635, Page 457, case for which has been concluded; Robert R. Baxter by deed dated February 19, 1965, recorded in Deed Book 1581, Page 579; Harry Lewis Shepherd and Fred K. Shepherd by deed dated November 10, 1966, recorded in Deed Book 1637, Page 337; Edward L. Springer by deed dated December 23, 1965, recorded in Deed Book 1617, Page 561; Washington and Old Dominion Railroad by deed dated October 17, 1968, recorded in Deed Book 1687, Page 374; Zylpha M. Buettner by instrument dated August 18, 1966, recorded in Deed Book 1630, Page 595, case for which has been concluded; Virginia Electric and Power Company by deed dated March 27, 1980, recorded in Deed Book 2012, Page 601; Margaret Evelyn Sullivan by instrument dated July 21, 1978, recorded in Deed Book 1972, Page 374, case for which has been concluded; Arthur W. Holst and Judith Holst by deed dated June 8, 1966, recorded in Deed Book 1626, Page 270; Harvey J. Hopkins by deed dated September 23, 1966, recorded in Deed Book 1634, Page 349; and Conrad M. Buettner, Estate by instrument dated August 18, 1966, recorded in Deed Book 1651, Page 313, case for which has been concluded. These instruments are recorded in the Office of the Clerk of the Circuit Court of Arlington County; and

WHEREAS, portions of the lands, so acquired, comprise a tract of land which is being utilized as a detention basin, providing drainage for I-66 and the surrounding area; and

WHEREAS, the County of Arlington has requested that the Commonwealth convey the lands, so acquired, which lie southeast of the southeast revised proposed right of way and limited access line of Route 66 to the County; and

WHEREAS, the County has agreed to accept responsibility and liability connected with all future maintenance and management of the said detention basin; and

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WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the land containing 6.0 acres, more or less, lying southeast of the southeast revised proposed right of way and limited access line of Route 66, from a point approximately 80 feet right of approximate Station 998+25 (EBL centerline Route 66) to a point approximately 33 feet left of approximate Station 29+53 (Washington Boulevard centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty to the County of Arlington for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 832, State Highway Project D832-041-142, RW-201, the Commonwealth acquired certain lands from Robert S. Jennings and Ara Belle B. Jennings by deed dated July 20, 1976, recorded in Deed Book 407, Page 404 and from Trustees of New Zion Baptist Church by deed dated July 20, 1976, recorded in Deed Book 406, Page 308. These deeds are recorded in the Office of the Clerk of the Circuit Court of Halifax County; and

WHEREAS, the adjacent landowner has requested that the Commonwealth convey the excess portion of the land, so acquired, which lies south of the south normal right of way limits of Route 832 so that he may further develop the adjacent property; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the parcel of land containing 0.94 acre, more or less, and lying south of the south normal right of way limits of Route 832, from a point approximately

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25 feet left of approximate Station 351+25 (centerline Route 832) to a point approximately 25 feet left of approximate Station 362+00 (centerline Route 832) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the secondary system of State Highways.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 81, State Highway Project 0081-085-102, RW-201, the Commonwealth acquired certain lands, portions of which lie outside the normal right of way from Warren B. French, Jr., et al, by instrument dated August 7, 1964, recorded in Deed Book 226, Page 628, case for which has been concluded; and in connection with State Highway Project 2485-08, the Commonwealth acquired certain lands from Wille Irene Holtzman, et al, by deed dated February 8, 1956, recorded in Deed Book 185, Page 93. These instruments are recorded in the Office of the Clerk of the Circuit Court of Shenandoah County; and

WHEREAS, the adjacent landowners have requested that the excess land, so acquired, lying south of and adjacent to the south normal right of way limits of Route 42 be conveyed to them; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the excess land lying south of and adjacent to the south normal right of way limits of Route 42, from a point approximately 40 feet opposite approximate Station 1146+60 (centerline Route 42) to a point approximately 43 feet opposite approximate Station 1150+50 (centerline Route 42),

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containing approximately 17,015 square feet, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, to the adjacent landowners of record is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth deeds conveying same without warranty for considerations satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 66, State Highway Project 0066-000-102, FW-206, the Commonwealth acquired certain lands from Tamara Trops and John J. Trops by instrument dated December 8, 1978, recorded in Deed Book 1980, Page 905; Tamara Trops by deed dated December 14, 1971, recorded in Deed Book 1776, Page 293; Thomas J. Broyhill and Nettie M. Broyhill by instrument dated January 23, 1978, recorded in Deed Book 1961, Page 1346; and Dorothy M. Rabbitt, et al, by deed dated January 24, 1964, recorded in Deed Book 1592, Page 12. These instruments are recorded in the Office of the Clerk of the Circuit Court of Arlington County; and

WHEREAS, the Commonwealth is also the apparent owner of a segment of $\frac{1}{4}$ of 16th Street North; and

WHEREAS, in negotiating with Tamara Trops for lands needed on Project 0066-000-102, RW-206, a settlement was reached recommending that a portion of the said lands be conveyed to Tamara Trops, with the understanding that the Commonwealth shall retain an easement across the said lands for storm and sanitary sewer purposes; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the land lying north of and approximately adjacent to the north proposed right of way and

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limited access line of Route 66, from a point approximately 175 feet left of approximate Station 1173+50 (WBL centerline) to a point approximately 175 feet left of approximate Station 1176+25 (WBL centerline), containing 7,643 square feet, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, the conveyance of the said land, so certified, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a quitclaim deed, for a consideration satisfactory to the State Right of Way Engineer and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 17, State Highway Project 0017-099-101, C-501, the Commonwealth acquired drainage easements from H. G. Fowler, et al, by Agreement dated May 31, 1962, recorded in Deed Book 158, Page 787 and by Agreement dated February 21, 1962, recorded in Deed Book 157, Page 1; from John W. Russell by Agreement dated February 21, 1962, recorded in Deed Book 157, Page 3; and from Carl A. Barrs and Alice C. Barrs by Agreement dated May 12, 1975, recorded in Deed Book 276, Page 736. These Agreements are recorded in the Office of the Clerk of the Circuit Court of York County; and

WHEREAS, the adjacent landowner has requested that portions of the drainage easements, so acquired, be conveyed to him in exchange for an alternate easement; and

WHEREAS, the easement acquired in 1962 was never conveyed to the adjacent landowner as had been agreed by the Commonwealth; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that a segment of the 1975 drainage easement containing approximately 0.45 acre, more or

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less, and lying west of the existing drainage easement and being 20 feet wide, running in a westerly direction for approximately 632.85 feet, and also the original 1962 drainage easement containing approximately 0.56 acre, more or less, lying west of the existing drainage easement and being 15 feet wide, running in a westerly direction for approximately 1,627 feet to Route 17 do not constitute sections of the public road and are deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the said easements, so certified, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed of easement conveying same to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by . Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 23, State Highway Project 0023-084-106, RW-201, the Commonwealth acquired certain lands from J. E. Dishner and Lucille Dishner by instrument dated March 30, 1967, recorded in Deed Book 238, Page 338, case for which has been concluded; and from A. T. Starnes and Laura E. Starnes by deed dated December 19, 1966, recorded in Deed Book 237, Page 68. These instruments are recorded in the Office of the Clerk of the Circuit Court of Scott County; and

WHEREAS, it has been brought to the Department's attention that a canopy, gas pump, sign and waste treatment plant belonging to the adjacent property owner encroaches upon the right of way of Route 23; and

WHEREAS, in order to correct this situation, the adjacent landowner has agreed to purchase sufficient land to eliminate the encroachment; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the land containing 0.126

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acres, more or less, and lying north of and adjacent to the north normal right of way limits of Route 23, from a point approximately 125 feet opposite approximate Station 945+50 (SBL centerline) to a point approximately 130 feet opposite approximate Station 951+00 (SBL centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, the conveyance of the land, so certified, to the adjoining landowner of record in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed, without warranty, conveying same for a consideration satisfactory to the State Right of Way Engineer and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Brydges,

that

WHEREAS, in connection with Route 11, State Highway Project 132-ER-2, the Commonwealth acquired certain lands from J. E. Willard by condemnation dated September 24, 1943, case for which has been concluded; and from Mary Sherwood Flagg and W. J. Flagg by condemnation dated November 16, 1943. These documents are of record in the Office of the Clerk of the Circuit Court of Montgomery County; and

WHEREAS, the Commonwealth is the apparent owner of the Southwestern Turnpike, a section of which lies adjacent to the lands so acquired; and

WHEREAS, under Project 132-ER-2, Route 11 was relocated serving the same citizens as before, which new location has been approved by the State Highway and Transportation Commissioner; and

WHEREAS, the adjacent landowners have requested that portions of the lands so acquired lying north and south of the north and south normal right of way limits of Route 11 be conveyed to them; and

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WHEREAS, since several of the individual parcels are large enough for independent development, those parcels will be offered for sale to the public should the adjacent owners refuse to purchase same; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the excess lands lying south of the south normal right of way limits of Route 11, from a point approximately 58 feet left of approximate Station 788+40 (Route 11 centerline) to a point approximately 53 feet left of approximate Station 796+72 (Route 11 centerline); and lying north of the north normal right of way limits of Route 11, from a point approximately 60 feet right of approximate Station 784+80 (Route 11 centerline) to a point approximately 55 feet right of approximate Station 787+46 (Route 11 centerline), containing 67,535 square feet, more or less, do not constitute sections of the public road and are deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute deeds without warranty and/or quitclaim deeds conveying same for considerations satisfactory to the State Right of Way Engineer, subject to such restrictions and conditions as may be deemed requisite, pending the abandonment of old Route 11.

Motion carried.

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Moved by Mr. Brydges, seconded by Mr. Smalley, that the Commission confirm letter ballot action on bids received November 9, 1983, by the District of Columbia on the following project and authorize execution of contract for Virginia's share by the Deputy Commissioner or Chief Engineer:

Route 395, Project 0395-000-103, C-501

Rehabilitation of George Mason Bridge over Potomac River, District of Columbia. Award of contract to low bidder, A. A. Beiro Construction Company, Inc., Alexandria, Virginia.

Bid including engineering and contingencies	\$898,450.10
Total amount chargeable to project	898,450.10
\$89,845.07 to be provided in Future Interstate Construction Allocations.	

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Smalley, that the Commission confirm letter ballot action on bids received November 29, 1983, on the following project and authorize execution of contracts by the Commissioner or Chief Engineer:

Route 602, Project 0602-029-273, M-501

From: Int. Route 673 To Int. Route 606, Fairfax County. Award of contract to low bidder, Palisades Construction Corporation, Arlington, Virginia.

Bid	\$259,752.81
Engineering and contingencies	41,040.94
Total amount chargeable to project	300,793.75

Accounts Receivable - \$300,793.75 - Fairfax County.

Motion carried.

The next Commission meeting will be held February 16, 1984.

The meeting was adjourned at 11:09 a.m.

Approved:

Chairman

Attested:

Secretary