

**Minutes of the Meeting of the State Highway
Commission of Virginia, Held in
Lexington October 20-21, 1949.**

At 12:00 o'clock noon, Thursday, October 20, the State Highway Commission met at the Robert E. Lee Hotel, Lexington, Virginia. Present - Messrs. E. P. Barrow, J. P. Harpine, E. W. Rawls, J. H. Wampler, Tucker C. Watkins, Jr., J. F. Wyszor and J. A. Anderson, Chairman. Following lunch the meeting was called to order by the Chairman.

Moved by Mr. Wampler, seconded by Mr. Rawls, that the minutes of the September 16 meeting be approved. Motion carried.

Moved by Mr. Wampler, seconded by Mr. Rawls, that the minutes of the meeting of September 26 be approved. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Wyszor, that the permits issued from September 16 to October 20-21 inclusive, as recorded in the Auditing Division, be approved. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Wyszor, that permits cancelled by the Commissioner from September 16 to October 20-21 inclusive, as authorized June 25, 1947, and recorded in the Auditing Division, be approved. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Harpine, that the Commission confirm action by letter ballot to rescind its action of September 26 covering award of contract on Project 1303-01, 1308-01, Route 606, 4.412 Mi. W. of WCL Clifton Forge-Intersection Route 220, eliminating 41,766 square yards of Stabilized Base Course, and award the contract in its entirety to the low bidder, G. A. Partent, Lexington, Virginia, inasmuch as the estimated price of 60¢ per square yard was in error. Motion carried.

Moved by Mr. Barrow, seconded by Mr. Harpine, that as provided by Chapter 212, Section 1, Act approved March 19, 1926, and upon recommendation of the Commissioner, the following sections of old Route 38 in Amelia County being no longer necessary for uses as a highway the same be abandoned upon opening of new sections in lieu thereof: Sections 1, 2, 3, 4A, 4B, 5, 6 and 7 shown on plat dated February 23, 1949, Project 1407-F1, F2, B2. Motion carried.

Moved by Mr. Barrow, seconded by Mr. Harpine, that as provided by Chapter 212, Section 1, Act approved March 19, 1926, and upon recommendation of the Commissioner, the following sections of old Route 154 in Prince George County being no longer necessary for uses as a highway the same be abandoned upon opening of new sections in lieu thereof: Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 shown on plat dated February 2, 1949, Project 1453 A,B1. Motion carried.

Moved by Mr. Barrow, seconded by Mr. Harpine, that as provided by Chapter 212, Section 1, Act approved March 19, 1926, and upon recommendation of the Commissioner, the following sections of old Route 6 in Charles City County being no longer necessary for uses as a highway the same be abandoned upon opening of new sections in lieu thereof: Sections 1, 2 and 3 shown on plat dated August 26, 1949, Project 794-F. Motion carried.

Moved by Mr. Barrow, seconded by Mr. Harpine, that as provided by Chapter 212, Section 1, Act approved March 19, 1926, and upon recommendation of the Commissioner, the following sections of old Route 53 in Albemarle County being no longer necessary for uses as a highway the same be abandoned upon opening of new sections in lieu thereof: Sections 1, 2 and 3 shown on plat dated August 16, 1949, Project 1372 K-3,B-1. Motion carried.

Moved by Mr. Harpine, seconded by Mr. Barrow, that as provided by Chapter 212, Section 1, Act approved March 19, 1926, and upon recommendation of the Commissioner, the following sections of old Route 40 in Patrick County being no longer necessary for uses as a highway the same be abandoned upon opening of new sections in lieu thereof: Sections 1, 2 and 3 shown on plat dated August 19, 1949, Project 1403 E. Motion carried.

WHEREAS, the Chairman, J. A. Anderson, has certified in writing that a certain portion of the right of way acquired from Amos W. Rakes and T. C. Rakes for the construction of Project 1403 H-1, H2 on Route 40, Patrick County, is no longer needed for the uses of the State Highway System; and,

WHEREAS, the Commonwealth has acquired certain lands from Amos W. Rakes and T. C. Rakes for the construction of a relocation on Project 1403 H-1, H-2 Route 40, in accordance with the provisions of an Option-agreement dated August 2, 1949, which instrument provided for the reconveyance of that portion of right of way no longer needed on Project 1403 H-1, H-2 Route 40 to Amos W. Rakes and T. C. Rakes:

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the premises, the Chairman is hereby authorized, in accordance with the provisions of Chapter 10 of the Act of Assembly approved February 7, 1940, to execute a Quitclaim deed to said Amos W. and T. C. Rakes for said portion of right of way.

WHEREAS, the Chairman, J. A. Anderson, has certified in writing that a certain portion of the right of way acquired from George M. Thomas for the construction of Project 728-H on Route 40, Franklin County, is no longer needed for the uses of the State Highway System; and,

WHEREAS, the Commonwealth has acquired certain lands from George M. Thomas for the construction of a relocation on Project 728-H Route 40, in accordance with the provisions of an Option-agreement dated August 2, 1949, which instrument provided for the reconveyance of that portion of right of way no longer needed on Project 728-H Route 40 to George M. Thomas:

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the premises, the Chairman is hereby authorized, in accordance with the provision of Chapter 10 of the Act of Assembly approved February 7, 1940, to execute a Quitclaim deed to said Thomas for said portion of right of way.

WHEREAS, the Chairman, J. A. Anderson, has certified in writing that a certain portion of the right of way acquired from Amos W. Rakes and T. C. Rakes for the construction of Project 728-H on Route 40, Franklin County, is no longer needed for the uses of the State Highway System; and,

WHEREAS, the Commonwealth has acquired certain lands from Amos W. Rakes and T. C. Rakes for the construction of a relocation on Project 728-H Route 40, in accordance with the provisions of an Option-agreement dated August 2, 1949, which instrument provides for the reconveyance of that portion of right of way no longer needed on Project 728-H Route 40, to Amos W. Rakes and T. C. Rakes;

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the premises, the Chairman is hereby authorized, in accordance with the provision of Chapter 10 of the Act of Assembly approved February 7, 1940, to execute a Quitclaim deed to Amos W. Rakes and T. C. Rakes for said portion of right of way.

WHEREAS, the Chairman, J. A. Anderson, has certified in writing that certain parcel of land acquired under right of way settlement with M. W. Jayne, and lying outside of the established right of way lines for Projects 428 CR-2 and 515 AR-1, Routes 23 and 58, Scott County, containing approximately 0.34 acre, is no longer needed for the uses of the State Highway System; and,

WHEREAS, under agreement with B. P. Howard, J. C. Howard and O. G. Ruth this unused parcel of land is to be released and quitclaimed to them in exchange and in part payment for the right of way which they have conveyed to the Commonwealth for said projects.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized, in accordance with the provisions of Chapter 10, Acts of General Assembly, approved February 7, 1940, to execute a deed releasing and quitclaiming to B. P. Howard, J. C. Howard and O. G. Ruth the said parcel of land lying outside of the right of way retained for said project in fulfillment of right of way agreement.

WHEREAS, the Chairman, J. A. Anderson, has certified in writing that certain sections of parcels of land, containing approximately 0.61 acre, acquired for right of way purposes from M. W. Jayne and Helen P. Kels and E. H. McCormell, lying outside of the established right of way lines for Projects 428 CR-2 and 515 AR-1, Routes 23 and 58, Scott County, are no longer needed for the uses of the State Highway System; and,

WHEREAS, Agreement with the Fannie Kane Estate provides that these unused parcels of land are to be released to the Estate in accordance with right of way agreement and in exchange for deed covering certain land to be conveyed to the Commonwealth:

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the premises, the Chairman is hereby authorized, in accordance with the provision of Chapter 10 of the Act of Assembly approved February 7, 1940, to execute a deed releasing and quitclaiming to the Fannie Kane Estate the said sections of unused right of way which lie outside of the right of way retained for said project,

WHEREAS, in connection with additional right of way required for the improvement and construction of Route 460 and Project 632-CW2 in Prince George County, Virginia, (A) the Commonwealth of Virginia acquired with general warranty of title a certain parcel of land containing 1.79 acres, more or less, from I. Kantor and wife, together with all of their right, title and interest in and to the existing right of way of Route 460 lying between the said parcel of land and the survey centerline of Route 460 by deed dated June 22, 1949, and recorded in the Clerk's Office of the Circuit Court of Prince George County in Deed Book 138, Page 371; and (B) the National Park Service of the United States of America granted the Commonwealth of Virginia, Department of Highways, by a revocable Special Use Permit, approved January 5, 1949, the right to use and occupy three certain parcels containing 1.72 acres, more or less, of the lands of the Petersburg National Military Park, which Permit does not give the Commonwealth of Virginia any title or any permanent right to use and occupy the said three parcels of the lands of the Petersburg National Military Park; and

WHEREAS, the National Park Service has proposed that the United States of America convey to the Commonwealth of Virginia by deed the aforesaid three parcels of the lands of the Petersburg National Military Park in exchange for a deed from the Commonwealth of Virginia conveying to the United States of America for the Petersburg National Military Park the portion of the property acquired from I. Kantor and wife, as aforesaid, not needed to be retained by the Commonwealth of Virginia for the uses of the State Highway System; and the Chairman, J. A. Anderson, has certified in writing that the said portion of the property acquired from I. Kantor and wife is no longer needed for the uses of the State Highway System and has recommended the exchange of the portion and parcels of land as aforesaid.

NOW, THEREFORE, as provided for by Chapter 10, Acts of the General Assembly of Virginia, approved February 7, 1940, the conveyance of the aforesaid portion of the property acquired from I. Kantor and wife to the United States of America for the Petersburg National Military Park is hereby approved and the Chairman is hereby authorized to execute a deed accordingly, which, however, shall be first approved by the Attorney General of Virginia. The consideration for the said conveyance and deed shall be a suitable deed from the United States of America conveying to the Commonwealth of Virginia the three parcels of the lands of the Petersburg National Military Park as aforesaid, which deed shall also be approved by the Attorney General of Virginia before delivery of the deed from the Commonwealth of Virginia to the United States of America.

WHEREAS, the Chairman, J. A. Anderson, has certified in writing that a certain portion of the right of way acquired from Frank S. Astroth for the construction of Project 1091-E, Route 29 is no longer needed for the uses of the State Highway system; and,

WHEREAS, during the construction of State Highway Project 1091-ER1, R1, B2, R1, Route 29, certain damages were caused to the property of Mary M. Astroth; and,

WHEREAS, it has been agreed that if the Commonwealth will quitclaim to her all the land previously acquired by deed from Frank S. Astroth dated May 18, 1946 and recorded in the Clerk's Office of the Circuit Court of Nelson County, Virginia, in Deed Book 63, Page 408, that lies Northwest of the limits of the 110 foot right of way of present Route 29 and lies adjacent to her property between approximate stations 350/00 and 356/50 of said project, then Mrs. Astroth will construct at her own expense an island in front of her filling station in accordance with the Commonwealth's specifications.

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the premises, the Chairman is hereby authorized in accordance with the provisions of Chapter 10, Acts of the General Assembly approved February 7, 1940, to execute a quitclaim deed to said Astroth for said portion of the old right of way.

Moved by Mr. Wysor, seconded by Mr. Wampler, that the Commission approve the award of insurance by negotiation for Maritime Insurance only. All other forms of insurance to be handled by advertisement and award to the lowest bidder, as at present. Motion carried.

Moved by Mr. Wampler, seconded by Mr. Barrow, that the Commission name the Bridge over the James River at Westham the "Huguenot Memorial Bridge", the name plates for same to be the responsibility of the Huguenot Society. Motion carried.

In 1937 the State Highway Commission, at the request of a citizens' association, appropriated \$2,500 towards the construction of various drains to relieve flooding on Route 60, in the vicinity of Virginia Beach. This appropriation was predicated upon Princess Anne County's agreeing to maintain and operate the drainage system. This Princess Anne County agreed to do, in a resolution dated February 12, 1937.

For the above reason, it is moved by Mr. Wycor, and seconded by Mr. Wampler, that the request of the Board of Supervisors of Princess Anne County, dated August 22, 1949, that the Highway Commission take over for supervision, operation and maintenance the two pumping stations, be respectfully denied. Motion carried.

Moved by Mr. Rawls, seconded by General Anderson, that the State Highway Commission, under the authority of Chapter 399, Acts of 1940, take into the Primary System as of November 1, 1948, for maintenance and improvement, the approximately 10.80 miles of approach roads included in the James River Bridge System, said roads being described as follows:

<u>Section</u>	<u>From</u>	<u>To</u>	<u>Length (miles)</u>
(A)	U. S. Route 60	North End of James River Bridge	0.48
(B)	South End of James River Bridge	U. S. Route 258 at Bartlett	2.50
(C)	U. S. Route 17 at Bartlett	Route 10 at Beans Church	2.86
(D)	U. S. Rt. 258 at Bartlett	West End Chuckatuck Creek Bridge	2.60
(E)	East End of Chuckatuck Creek Bridge	West End Nansemond River Bridge	1.68
(F)	East End of Nansemond River Bridge	East End of Maintenance by the James River System (Int. Rt. 627)	0.83
Motion carried.			Total Miles 10.80

Moved by Mr. Rawls, seconded by Mr. Barrow, that the offer of \$25,000.00 for the present holdings at the Suffolk District Office insofar as buildings and land are concerned, be not accepted. Further, that whenever disposing of any real estate estimated to be worth \$2,500.00 or more that it be advertised and sold to the highest bidder, if disposed of. The advertisement to carry the clause that any and all bids may be rejected. Motion carried.

Messrs. John D. Hoeker, Jr., Lloyd W. Hopkins and John B. George appeared before the Commission and plead vigorously for the retention of Route 104 in the Primary System in Patrick County. The Commission gave careful consideration to the argument presented. On motion of Mr. Barrow, seconded by Mr. Wyszor, the Commission decided that the Route would be placed in the Secondary System as soon as the repairs now under way are completed. Motion carried.

Mr. Wampler requested that study be made regarding the possible by-pass for Routes 23 and 58 at Gato City. It was suggested that if angle parking was not allowed in the Town on these Routes that the present street could carry the traffic for a long time to come.

Mr. Wampler requested that a Bridge Engineer from the Department inspect a bridge in Big Stone Gap which is thought to be unsafe.

Mr. Bawls requested us to find out whether or not Dickenson County or the Highway Commission ever named a road in that County The Helen Henderson Highway. (The Chairman suggested that the records of the Board of Supervisors be studied to see whether or not any action of this nature was ever taken).

Mr. Wyszor requested that one of our engineers contact him regarding the deletion of Route 99, Pulaski-North, from the Primary System.

The citizens of Riverdale made a request of Mr. Watkins for a completed sidewalk along Route 601, Halifax County, it being understood that previous allocation provided for only about half of the sidewalk needed.

Mr. Watkins brought up the request of the Town of Halifax for the Highway Commission to pay for the cost of moving water and sewer lines, etc. in connection with the improvement of Route 601, from the Court House Square-North. On motion of Mr. Harpize, seconded by General Anderson, the Commission voted to deny the request, it being a long standing policy of the Commission for the municipalities to pay for the cost of moving of pipe lines and other utilities. Motion carried.

At 3:00 P.M. a large delegation from Front Royal, headed by Mr. James A. Payne, Managing Secretary of the Chamber of Commerce, appeared before the Commission and requested the improvement of Route 55 in Fauquier County, from Chancellors Corner, Route 17, east through Marshall.

At 3:40 P.M. the Commission adjourned its executive session.

Approved


Commissioner

Attested


Secretary