

Agenda Item VII. C.

Meeting Date: May 16, 2017

Office: County Attorney

Issue: **Accepting Learning Lane Gifts of Property**

Board Action: The Board is being asked to adopt Resolution 2017-0022-R.

Attachment: Resolution 2017-0022-R

Summary: A resolution, expressing the County's intention to accept deeds to various parcels of real property underlying and surrounding Learning Lane so that Learning Lane may be transferred to the Virginia Department of Transportation for placement into the State secondary road system.

Recommendation: That the Board adopt Resolution 2017-0022-R by approving the Consent agenda.



Amherst County Board of Supervisors
County Resolution No. 2017-0022-R

For consideration on May 16, 2017

A RESOLUTION, NO. 2017-0022-R

A resolution, expressing the County's intention to accept deeds to various parcels of real property underlying and surrounding Learning Lane so that Learning Lane may be transferred to the Virginia Department of Transportation for placement into the State secondary road system.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Board of Supervisors of the County of Amherst, Virginia ("Board"), hereby expresses its intention to accept deeds to various parcels of real property underlying and surrounding Learning Lane so that Learning Lane may be transferred to the Virginia Department of Transportation for placement into the State secondary road system, as follows:

WHEREAS, Amherst County wishes to have Learning Lane – the street providing access to Madison Heights Elementary School at 287 Learning Lane, Madison Heights, Virginia – accepted into the State secondary road system; and

WHEREAS, in order to transfer Learning Lane to the Virginia Department of Transportation, the County must acquire title to the real property underlying and surrounding Learning Lane; and

WHEREAS, the various owners of that real property ("Grantors") wish to convey certain property interests in that land to Amherst County, as depicted on the Plat dated February 9, 2017, ("Plat"), which Plat is attached hereto as Exhibit A; and

WHEREAS, the Amherst County Attorney has prepared deeds providing for such conveyances ("Deeds"), and hereby confirms that they are in proper form for acceptance by the County; and

WHEREAS, Grantors have signed the Deeds; and

WHEREAS, the Board wishes to direct its Chair to sign the Deeds so as to effect the conveyance of the property interests necessary to the improvement of Learning Lane.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

That the Board does hereby accept on behalf of Amherst County the interests in real property from the Grantors subject to the terms of the Deeds, and authorizes and directs Claudia D. Tucker, in her capacity as Chair of the Board, to execute the Deeds.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 16th day of May, 2017.

Claudia D. Tucker, Chair
Board of Supervisors of the County of Amherst, Virginia

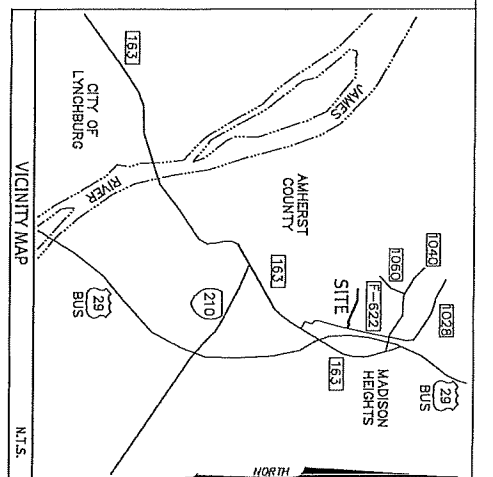
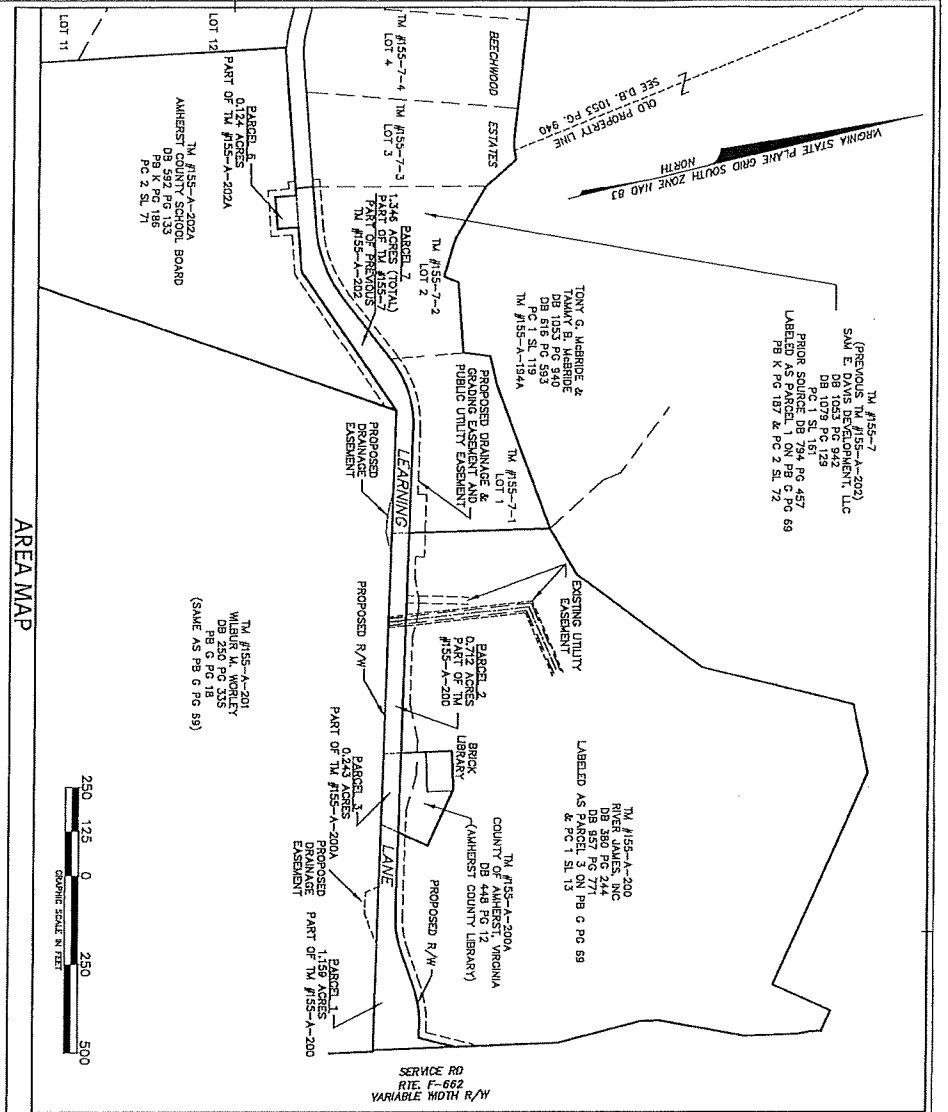
ATTEST:

Dean C. Rodgers, Clerk
Board of Supervisors of the County of Amherst, Virginia

Ayes ____

Nays ____

Abstentions ____



SOURCES OF TITLE.

TM #155-7
THE AREA SHOWN WAS ACQUIRED BY SAM E. DAVIS DEVELOPMENT, LLC FROM JAMES L. MERRITT AND SHARON C. BURRUS BY DEED DATED AUGUST 24, 2006 AS RECORDED IN DB 1053 PG 942 OF THE CIRCUIT COURT CLERK'S OFFICE OF THE COUNTY OF AMHERST.

TM #155-A-202
THE AREA SHOWN WAS ACQUIRED BY AMHERST COUNTY SCHOOL BOARD FROM WILLIAM H. BURRUS, JR. AND SHARON C. BURRUS BY DEED DATED AUGUST 22, 1988 AS RECORDED IN DB 592 PG 133 OF THE CIRCUIT COURT CLERK'S OFFICE OF THE COUNTY OF AMHERST. RECORDED PLATS FOR SOURCE AR PG K PG 186 AND PG 2 SLIDE 71.

TM #155-A-200A
THE AREA SHOWN WAS ACQUIRED BY AMHERST COUNTY PUBLIC LIBRARY FROM RICHARD L. BURRUS BY DEED DATED NOVEMBER 28, 1979 AS RECORDED IN DB 448 PG 12 OF THE CIRCUIT COURT CLERK'S OFFICE OF THE COUNTY OF AMHERST. SEE MAP PLAT #A-652.

TM #155-A-201
THE AREA SHOWN WAS ACQUIRED BY RIVER JAMES, INC. FROM WALDOLE E. WILDER, JR. AND SHARON C. BURRUS BY DEED DATED SEPTEMBER 22, 1975 AS RECORDED IN DB 380 PG 24 OF THE CIRCUIT COURT CLERK'S OFFICE OF THE COUNTY OF AMHERST. RECORDED PLATS FOR SOURCE AR PG K PG 69 AND PG 1 SLIDE 13.

A DEED OF CONSOLIDATION WAS RECORDED IN DB 567 PG 771 FOR THE SUBJECT PROPERTY WITH A LESS AND EXCEPT PARCEL OF LAND CONVEYED TO THE COMMONWEALTH OF VIRGINIA RECORDED IN DB 381 PG 313.

DEDICATION APPROVED

CHAIRMAN - AMHERST COUNTY DATE
BOARD OF SUPERVISORS

RECOMMENDED FOR APPROVAL:

DOT REPRESENTATIVE DATE
DOT'S SIGNATURE IS NOT AN ENDORSEMENT OF THE ACCURACY OF THE SURVEY

HURT & PROFFITT
INCORPORATED
2524 LANGHORNE ROAD
LYCHBURG, VA 22503
800.242.4905 TOLL FREE
434.847.7755 MAIN
434.847.0047 FAX

**PLAT SHOWING
RIGHT-OF-WAY AND EASEMENT DEDICATION FOR
LEARNING LANE
ELON MAGISTERIAL DISTRICT, AMHERST COUNTY, VIRGINIA**

REVISED: 2/9/17
PROJECT NO. 20160042
FILE NO. 229-15-13
DATE: 10/9/16
DRAWN BY: JAB
CHECKED BY: JAB

HURT & PROFFITT

SHEET NO.
1 OF 3

SUBJECT PLATS/PLANS OF REFERENCE:
PLAT BY ADRIAN OVERSTREET, S.C.S. ENTITLED "PLAT OF PROPERTY OF MRS. CORINNA M. WORLEY (PART OF WILBUR L. WORMAN, TRACT)", DATED FEBRUARY 10, 1958, RECORDED IN PG 6 PG 89 OF THE CIRCUIT COURT CLERK'S OFFICE OF AMHERST COUNTY.
PLAT BY ADRIAN OVERSTREET, S.C.S. ENTITLED "PLAT OF PROPERTY OF MRS. CORINNA M. WORLEY (PART OF WILBUR L. WORMAN, TRACT)", DATED NOVEMBER 22, 1958, RECORDED IN PG 2 SLIDE 72 OF THE CIRCUIT COURT CLERK'S OFFICE OF AMHERST COUNTY.
PLAT BY JAMES C. MAY & ASSOCIATES, P.C. ENTITLED "PLAT OF SURVEY OF 20.646 ACRE PARCEL, CUT OFF OF WORMLEY TRACT", DATED JULY 21, 1988 AND RECORDED IN PG 2 SLIDE 71 OF THE CIRCUIT COURT CLERK'S OFFICE OF AMHERST COUNTY.
PLAT BY SURVEY & SONNITON ENTITLED "ACCESS ROAD PLAN & PROFILE, MADISON HEIGHTS ELEMENARY SCHOOL, AMHERST COUNTY SCHOOL BOARD, STATE PROJECT NO. 5-504", DATED APRIL 18, 1990, DATED APRIL 18, 1990, DATED APRIL 18, 1990 AND RECORDED IN PG 2 SLIDE 110 AND PG 2 SLIDE 109 OF THE CIRCUIT COURT CLERK'S OFFICE OF AMHERST COUNTY.
PLAT BY BLUE RIDGE SURVEYORS TITLED "PLAT SHOWING RECONFIGURATION SURVEY FOR PARCELS A, MERRITT & SHARON B. MERRITT AND DATED JAN 21, 2003 AS CALLED FOR IN DB 1053 PG 940 AND FOUND IN PG 1 SL. 115.
PLAT BY HURT & PROFFITT, INC. TITLED "PLAT SHOWING RECONFIGURATION SURVEY AND DATED 5/10/05 AND RELEASED MAR 0, 2007 AS CALLED FOR IN DB 1079 PG 129 AND FOUND IN PG 1 SL. 161.
SOURCE NOTE:
PARCEL 7 (1.346 ACRES) IS PART OF PREVIOUS TM #155-A-202. SEE PG 1 SL. 161 FOR DETAILS.

- NOTES:**
1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY ORIGINALLY COMPLETED IN JANUARY 2006 AND THERE WERE NO VISIBLE ENCUMBRANCES OR ENCUMBRANCES EXCEPT AS SHOWN. FINAL EASEMENTS AND OWNERSHIP HAVE BEEN COMPLETED AND VERIFIED AS OF THE CURRENT DATE OF THIS PLAT. NO ADDITIONAL FIELD SURVEY HAS BEEN COMPLETED AT THIS TIME.
 2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
 3. THE AREA SHOWN HEREON IS LOCATED IN FLOOD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'X' FOR A 100 YEAR FLOOD AS DETERMINED BY THE AMHERST COUNTY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #100903058 DATED SEPTEMBER 19, 2007.
 4. THE AREA SHOWN HEREON TO BE DEDICATED TO AMHERST COUNTY FOR PUBLIC USE WAS ESTABLISHED FROM EXISTING ALIGNMENT DATA FOUND IN P.C. 2, SLIDE 110, PGS. 146 AND 147, P.C. 2, SLIDE 109, PG 146, AND D.B. 380 PG. 248 OF THE CIRCUIT COURT CLERK'S OFFICE OF AMHERST COUNTY. THIS DEDICATION/EASEMENT PLAT SUPERSEDES ANY PREVIOUS INCORPORATED EASEMENT ALIGNMENTS.
 5. THE DRAINAGE, GRADING AND UTILITY EASEMENT SHOWN HEREON TO BE DEDICATED TO AMHERST COUNTY FOR PUBLIC USE IS BASED ON A STANDARD 20' WIDE AREA PARALLEL TO THE PROPOSED RIGHT-OF-WAY EXCEPT AS NOTED. THIS DEDICATION/EASEMENT PLAT SUPERSEDES ALL EXISTING EASEMENT INFORMATION SHOWN IN P.C. 2, SLIDE 110, PGS. 146 AND 147, P.C. 2, SLIDE 109, PG 146, D.B. 380 PG. 248 OF THE CIRCUIT COURT CLERK'S OFFICE OF AMHERST COUNTY. THIS AREA IS HEREBY DESIGNATED AS A 20' WIDE PUBLIC UTILITY EASEMENT.

PL #155-A-200
THE SUBDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FREE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME. THE AREAS SHOWN HEREON ARE TO BE DEDICATED TO AMHERST COUNTY FOR PUBLIC USE.

(REPRESENTATIVE) _____ DATE _____
RIVER JAMES, INC.

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/CITY OF _____

I, _____, A NOTARY PUBLIC IN
AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE
OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE
ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY
OF _____ 19____ MY COMMISSION
EXPIRES _____

NOTARY PUBLIC _____



PLAT SHOWING
RIGHT-OF-WAY AND EASEMENT DEDICATION FOR
LEARNING LANE
ELON MAGISTERIAL DISTRICT, AMHERST COUNTY, VIRGINIA

ENGINEERING >>> SURVEYING >>> PLANNING
HURT & PROFFITT
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434.847.0047 FAX



REVISED: 2/9/17
PROJECT NO. 2006002
G.L. NO. 229-15-A-13
FILE NO. 56-1335
DATE: 10/9/14
DRAWN BY: JAB
CHECKED BY: JAB

HURT & PROFFITT

TL #155-2

THE SUBDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME. THE AREAS SHOWN HEREON ARE TO BE DEDICATED TO AMHERST COUNTY FOR PUBLIC USE.

SAM E. DAVIS DEVELOPMENT, LLC DATE

COMMONWEALTH AT LARGE TO WIT:

STATE OF VIRGINIA

COUNTY/CITY OF

I, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS DAY OF 19 MY COMMISSION

EXPIRES

NOTARY PUBLIC

TL #155-A-2004
THE SUBDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME. THE AREAS SHOWN HEREON ARE TO BE DEDICATED TO AMHERST COUNTY FOR PUBLIC USE.

(REPRESENTATIVE) DATE
AMHERST COUNTY SCHOOL BOARD

COMMONWEALTH AT LARGE TO WIT:

STATE OF VIRGINIA

COUNTY/CITY OF

I, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS DAY OF 19 MY COMMISSION

EXPIRES

NOTARY PUBLIC

TL #155-A-2004
THE SUBDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME. THE AREAS SHOWN HEREON ARE TO BE DEDICATED TO AMHERST COUNTY FOR PUBLIC USE.

(REPRESENTATIVE) DATE
COUNTY OF AMHERST

COMMONWEALTH AT LARGE TO WIT:

STATE OF VIRGINIA

COUNTY/CITY OF

I, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS DAY OF 19 MY COMMISSION

EXPIRES

NOTARY PUBLIC

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2524 LAURENCE ROAD
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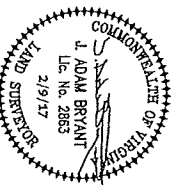


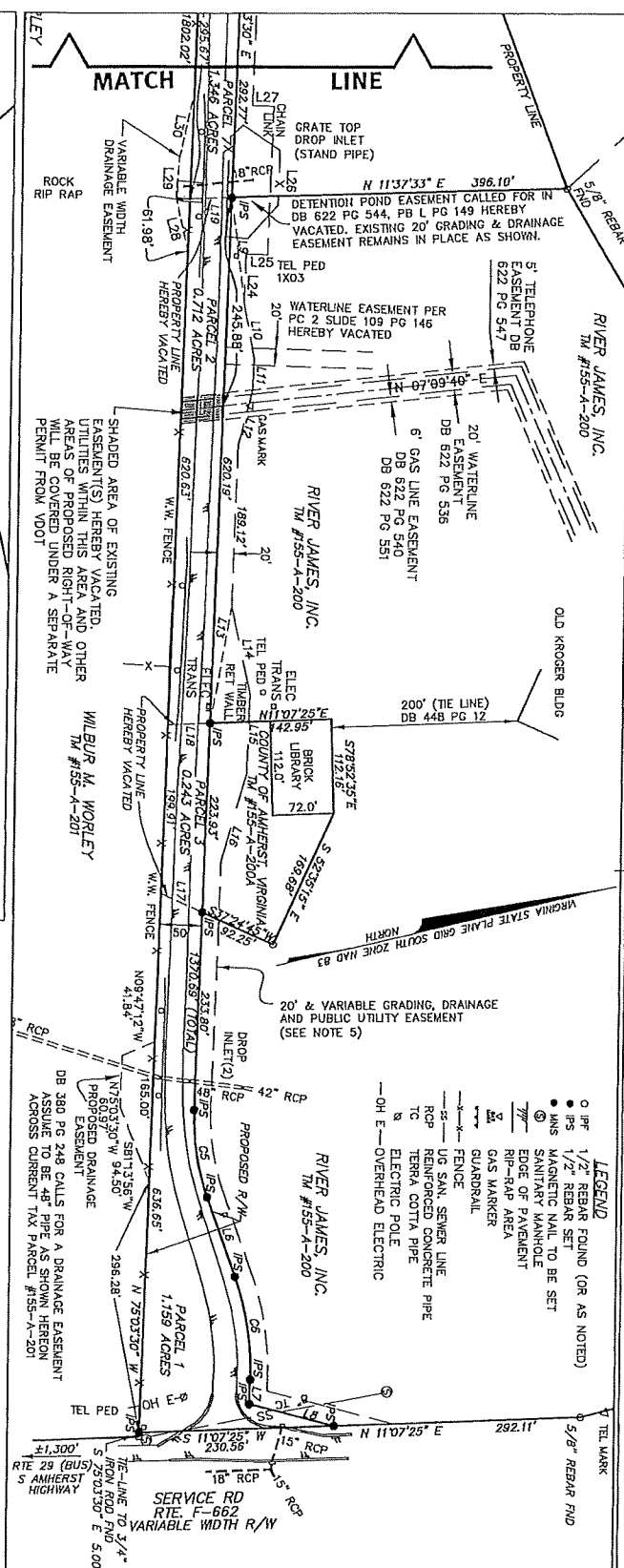
PLAT SHOWING
RIGHT-OF-WAY AND EASEMENT DEDICATION FOR
LEARNING LANE
ELON MAGISTERIAL DISTRICT, AMHERST COUNTY, VIRGINIA

REVISED: 2/9/17
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DRAWN BY: JAB
CHECKED BY: JAB

HURT & PROFFITT

SHEET NO.
2 OF 3

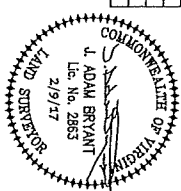




ACREAGE TABLE			
LINE	LINE TABLE	LENGTH	
L1	S 08°34.33' W	60.00	
L2	N 81°25.27' W	90.00	
L3	N 08°34.33' E	60.00	R/L# DEDICATED TO
L4	N 81°25.27' W	19.84	+1.159 AC. (PART OF
L5	N 08°34.33' E	50.00	+0.712 AC. (PART OF
L6	N 81°25.27' W	99.86	+0.243 AC. (PART OF
L7	N 08°34.33' E	50.00	+0.124 AC. (PART OF
L8	N 81°25.27' W	26.71	+1.345 AC. (PART OF
L9	S 27°38.58' E	10.43	3.564 AC. (TOTAL F/
L10	S 79°28.27' E	35.00	
L11	N 25°07.30' E	35.00	<i>TM #156-A-2002</i>
L12	S 62°02.96' W	87.35	34.535 AC. (RECORD
L13	N 66°52.09' W	144.61	1.519 AC. (RECORD
L14	S 87°10.59' E	107.35	3.535 AC. (RECORD
L15	N 75°03.30' W	94.10	-2.712 AC. (PARCEL
L16	S 60°56.01' E	107.35	32.682 AC. (RESIDUE)
L17	S 37°24.45' E	54.11	<i>TM #155-A-2004</i>
L18	N 11°07.28' E	50.13	0.9928 AC. (RECORD
L19	S 13°37.33' W	50.13	-0.243 AC. (RECORD
L20	S 75°03.30' E	49.16	0.750 AC. (RESIDUE)
L21	N 68°17.40' E	94.16	<i>TM #153-A-2004</i>
L22	S 32°18.55' W	9.90	20.046 AC. (RECORD
L23	S 81°25.27' E	9.00	1.600 AC. (RECORD
L24	N 75°03.30' W	56.54	20.532 AC. (RESIDUE)
L25	N 14°56.30' E	25.00	<i>TM #155-Z</i>
L26	N 75°03.30' W	175.00	54.717 AC. (RECORD)
L27	S 14°56.30' W	25.00	-1.346 AC. (PARCEL
L28	S 89°56.55' W	46.13	52.82 AC. (RESIDUE)
L29	N 71°18.26' W	45.96	
L30	N 65°10.05' W	80.51	

CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C/3	34.09°	223.55	375.00
C/4	40°31'45"	213.27	270.00
C/5	21°48'05"	104.84	275.00
C/6	21°48'05"	123.67	325.00
C/8	21°48'05"	122.92	325.00

CHORD BEARING			
CURVE	DELTA	LENGTH	RADIUS
C/3	34.09°	223.55	375.00
C/4	40°31'45"	213.27	270.00
C/5	21°48'05"	104.84	275.00
C/6	21°48'05"	123.67	325.00
C/8	21°48'05"	122.92	325.00



PLAT SHOWING
RIGHT-OF-WAY AND EASEMENT DEDICATION FOR
LEARNING LANE
ELON MAGISTERIAL DISTRICT, AMHERST COUNTY, VIRGINIA

HURT & PROFFITT
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LYNCHBURG, VA 24504
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434.867.0982 FAX.

*ENGINEERING >> SURVEYING >> PLANNING



TO
OF PROFIT

REVISED: 2/9/17

PROJECT NO.	20060042
G.L. NO.	229-15-A1.3
FILE NO.	5A-11325
DATE	10/9/14
DRAWN BY:	JAB
CHECKED BY:	JAB