

VIRGINIA ACTS OF ASSEMBLY -- 2007 RECONVENED SESSION

CHAPTER 855

An Act to authorize the Governor to convey certain real property to Caroline County.

[H 1851]

Approved April 4, 2007

Be it enacted by the General Assembly of Virginia:

1. § 1. Upon compliance with the provisions of § 33.1-90 of the Code of Virginia, as amended, and other applicable laws pertaining to real property acquired for transportation projects and the subsequent sale or disposition thereof, and provided there has been no timely exercise of any statutory right to purchase (in the nature of a right of first refusal) available to the prior owner or owners of the subject property or to others afforded such right, and for the assessed value as determined by the Caroline County Commissioner of the Revenue, the Commonwealth Transportation Commissioner is hereby authorized to convey without warranty of title, to Caroline County for the use of the Rappahannock Area Community Services Board all that certain piece or parcel of land, which land was previously acquired by the Department of Transportation for highway right-of-way purposes, located in the County of Caroline, Virginia, and being more particularly described as follows: all of that certain piece or parcel of land, situate in the Reedy Church District, Caroline County, Virginia, containing 0.8709 acres, as shown and described on a certain plat captioned Plat Showing 0.8709 Acres of Land; the Commonwealth of Virginia; dated March 9, 2006, and prepared by Sullivan, Donahoe and Ingalls. The property is further described by metes and bounds as follows: beginning at an iron rod found thirty feet south of the centerline of Golansville Road, then proceeding S68°06'49"E 68.67 feet to an iron rod found; then proceeding S68°06'49"E 16.90 feet to an iron rod set; then proceeding S56°57'10"W 186.59 feet to an iron rod set; then proceeding S58°58'01"W 109.00 feet to an iron rod set; then proceeding N62°49'15"W 99.61 feet to an iron rod found; then proceeding N08°18'34"E 68.18 feet to a point; then proceeding N19°31'44"E 74.33 feet to an iron rod found; then proceeding N89°52'30"E 240.00 feet to the point of beginning.

§ 2. Any such conveyance of the above-described real property to Caroline County, or such other entity, local government or governments as may be deemed appropriate, shall be subject to approval by the Commonwealth Transportation Board, and shall be made in a form approved by the Attorney General. Caroline County shall pay all costs and expenses incurred in the transfer and shall be responsible for the abatement, and related costs, of any currently existing environmental contamination on the property to the extent required by applicable law. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

A conveyance of such property to Caroline County is for the purpose of effectuating a subsequent conveyance of such property to the Rappahannock Community Services Board. The deeds of conveyance to and from Caroline County shall provide that in the event the Rappahannock Community Services Board ceases to utilize the property primarily as an adult day care facility or for the provision of mental health, substance abuse and other related services, or Caroline County does not use the property for other governmental purposes, the Commonwealth shall give written notice thereof to Caroline County and or Rappahannock Community Services Board, which shall thereafter have ninety (90) days to comply with the aforesaid requirements. If compliance shall not be achieved within such time period, upon written demand by the Commonwealth, Caroline County or Rappahannock Community Services Board, whichever may be in title, shall immediately convey the property to the Commonwealth, free of any liens or encumbrances except those existing as of the date of conveyance from the Commonwealth. If Caroline County or the Rappahannock Community Services Board fails to immediately comply with the terms hereof, the Commonwealth may petition any court of competent jurisdiction to enforce the reverter herein provided.