

# 2003 SESSION

INTRODUCED

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## SENATE BILL NO. 1197

Offered January 8, 2003

Prefiled January 8, 2003

*A BILL for the relief of Shirley Dillon Roark.*

Patron—Reynolds

Referred to Committee on Finance

Whereas, in June 2001, the Department of Transportation was improving State Route 58 in front of the home of Shirley Dillon Roark ("Roark") by increasing the number of lanes from 2 to 4; and  
Whereas, the improvements occurred approximately 40 feet from Roark's Henry County home; and  
Whereas, activity related to the improvements caused Roark's house to shake considerably; and  
Whereas, during the improvements, Roark discovered cracked bricks in a first-floor fireplace; and  
Whereas, Roark subsequently discovered a crack approximately 10 feet in length and three-quarters of an inch wide in her basement wall; and

Whereas, Roark believes that these cracks were directly caused by the improvements; and

Whereas, Roark has spent \$7,235.29 repairing these cracks; and

Whereas, additionally, as part of the improvements and pursuant to right-of-way activity, the Department of Transportation did cause portions of Roark's driveway and front yard to have a significant grade where no such grade previously existed; and

Whereas, the grade in Roark's driveway was so steep she could not exit it without scraping the bottom of her car; and

Whereas, Roark did damage her car due to the grade of her driveway; and

Whereas, the Department of Transportation paid for repairs to her driveway to prevent further damage to cars passing upon it; and

Whereas, the grade in Roark's front yard is now so steep she can no longer use a riding mower to cut the grass, whereas she was able to do so prior to the improvements; and

Whereas, Roark asserts that the Department of Transportation misrepresented the severity of the impact the improvements would have upon her property; and

Whereas, Roark is concerned that the Department of Transportation does not recognize or appreciate the inconvenience and expense it has caused her and may cause others; and

Whereas, Roark has suffered anxiety and stress as a result of the improvements and has no other means to obtain adequate relief except by action of this body; now, therefore,

### **Be it enacted by the General Assembly of Virginia:**

**1. § 1.** *That there shall be paid for the relief of Shirley Dillon Roark from the general fund of the state treasury, upon execution of a release of all claims she may have against the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision in connection with the aforesaid occurrence, the sum of \$7,235.29 to be paid to Shirley Dillon Roark on or before August 1, 2003, by check issued by the State Treasurer on warrant of the Comptroller.*

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SB1197