

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, Section 33.1-89 of the Code of Virginia, as amended by the 1970 Session of the General Assembly, authorizes the Commonwealth Transportation Commissioner to acquire rights of way for the construction, reconstruction, alteration, maintenance and repair of public highways within municipalities on projects which are constructed with State or Federal participation and subsequently convey such rights of way to the requesting municipality; and

**WHEREAS**, Section 33.1-89, as amended, further provides that the Commonwealth Transportation Commissioner may exercise such authority only upon receipt of official request from the City involved; and

**WHEREAS**, the Commonwealth Transportation Commissioner has previously exercised such power to acquire the necessary rights of way for Project 0001-100-105, RW202 within the Corporate Limits of the City of Alexandria, and the City of Alexandria now requests that the Commonwealth Transportation Commissioner convey that right of way to the City of Alexandria; now

**THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alexandria hereby requests the Commonwealth Transportation Commissioner convey the title to the rights of way for Project 0001-100-105, RW202 within the Corporate Limits of said City to the City Council of Alexandria and agrees to reimburse the Virginia Department of Highways and Transportation for five percent (5%) of all costs incurred in the acquisition and conveyance of such rights of way; and it is understood that such conveyance will be handled by the Commissioner under established policies and procedures and his decision in all instances will be final.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Alexandria to be affixed this 13<sup>th</sup> day of January, 2009.

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MAYOR WILLIAM D. EUILLE

On behalf of the City Council  
of Alexandria, Virginia

RESOLUTION NO. 2314

**WHEREAS,** Section 33.1-89 of the Code of Virginia, as amended by the 1970 Session of the General Assembly, authorizes the Commonwealth Transportation Commissioner to acquire rights of way for the construction, reconstruction, alteration, maintenance and repair of public highways within municipalities on projects which are constructed with State or Federal participation and subsequently convey such rights of way to the requesting municipality; and

**WHEREAS,** Section 33.1-89, as amended, further provides that the Commonwealth Transportation Commissioner may exercise such authority only upon receipt of official request from the City involved; and

**WHEREAS,** the Commonwealth Transportation Commissioner has previously exercised such power to acquire the necessary rights of way for Project 0001-100-105, RW202 within the Corporate Limits of the City of Alexandria, and the City of Alexandria now requests that the Commonwealth Transportation Commissioner convey that right of way to the City of Alexandria;

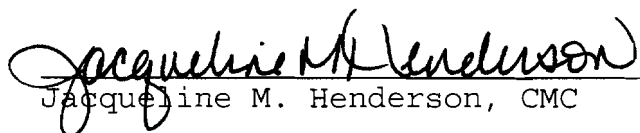
**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Alexandria hereby requests the Commonwealth Transportation Commissioner convey the title to the rights of way for Project 0001-100-105, RW202 within the Corporate Limits of said City to the City Council of Alexandria and agrees to reimburse the Virginia Department of Highways and Transportation for five percent (5%) of all costs incurred in the acquisition and conveyance of such rights of way; and it is understood that such conveyance will be handled by the Commissioner under established policies and procedures and his decision in all instances will be final.

ADOPTED: January 13, 2009



WILLIAM D. EUILLE MAYOR

ATTEST:



Jacqueline M. Henderson, CMC City Clerk