

**BOARD OF SUPERVISORS**  
**Agenda Item**


<b>Meeting Date:</b>	August 18, 2015
<b>Title:</b>	Consider Abandonment of a Portion of State Route 813 (Former Richards Ferry Road)
<b>Department:</b>	Public Works
<b>Staff Contact:</b>	Christopher K. Rapp, P.E., Director
<b>Board Committee/ Other BACC:</b>	N/A
<b>Staff Recommendation:</b>	Approval
<b>Budget Impact:</b>	See Background Report
<b>Time Sensitivity:</b>	N/A

**ATTACHMENTS:**

1.	Background Report	4.	Proposed Resolution R15-245
2.	Resolution R88-238		
3.	Location Map		

<input type="checkbox"/>	<b>Consent Agenda</b>	<input type="checkbox"/>	<b>Other Business</b>	<input type="checkbox"/>	<b>Unfinished Business</b>
<input type="checkbox"/>	<b>Discussion</b>	<input type="checkbox"/>	<b>Presentation</b>	<input type="checkbox"/>	<b>Work Session</b>
<input type="checkbox"/>	<b>New Business</b>	<input checked="" type="checkbox"/>	<b>Public Hearing</b>	<input type="checkbox"/>	<b>Add-On</b>

**REVIEW:**

X	County Administrator	
X	County Attorney	Ryszarda M. McEllendon for C.A.

<b>DISTRICT:</b>	Hartwood
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## **BACKGROUND REPORT**

In the early 1970's, the Virginia Department of Transportation (VDOT) completed relocation of a 0.18 mile portion of Richards Ferry Road (State Route (SR)-752) near its intersection with Warrenton Road (U.S. Route 17 (US-17)). This project shifted the intersection of these two roads several hundred feet to the west, resulting in a portion of SR-752, and the associated prescriptive right-of-way, no longer being in service.

In 1988, the Board adopted Resolution R88-238 (Attachment 2), which renumbered a 0.08 mile portion of the former Richards Ferry Road to SR-813 to prevent two different roads from having identical numbers. Resolution R88-238 did not include any action to abandon the prescriptive right-of-way that was no longer in service, as a prescriptive right-of-way is not deeded to the County.

Since 1988, other private driveway access modifications have occurred and currently, only about 0.03 mile of the former Richards Ferry Road (SR-813) is needed to remain in the State System of Secondary Roads for maintenance. The remaining 0.15 miles of the former Richards Ferry Road, with the associated prescriptive right-of-way, is no longer in service for public or private use. When a formerly state-maintained road in use on a prescriptive right-of-way is abandoned, the prescriptive right-of-way land automatically reverts back to the adjoining landowners in equal increments from the former centerline of the right-of-way. Attachment 3 illustrates the area of prescriptive right-of-way pursuant to the former road alignment.

The State has a process whereby the Commonwealth Transportation Board (CTB) can formally convey abandoned prescriptive right-of-way to an adjoining property owner. Ms. Tracy Lippincott, owner of property adjoining the former Richards Ferry Road, requested formal conveyance of the prescriptive right-of-way from the CTB. VDOT, in reviewing the process by which the CTB would formally convey the prescriptive right-of-way to Ms. Lippincott, has requested the Board to petition VDOT to officially abandon the right-of-way for the former Richards Ferry Road. The Board must advertise and hold a public hearing, and then adopt a resolution to petition VDOT to abandon the prescriptive right-of-way.

Staff recommends approval of proposed Resolution R15-245, which petitions VDOT to abandon a portion of the prescriptive right-of-way for the former Richards Ferry Road (SR-813).

R88-238

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors held in the Board Chambers, Stafford County Administration Center (Rowser Building), Stafford, Virginia, on the 19th day of April, 1988:

MEMBERS:

Rebecca L. Reed, Chairperson  
Ferris M. Belman, Sr., Vice Chairman  
Alvin Y. Bandy  
Philip E. Hornung  
Ralph A. Marceron  
James F. Persinger  
John M. Porter

VOTE:

Yes  
Yes  
Yes  
Yes  
Yes  
Yes  
Yes

On motion of Mr. Bandy, seconded by Mr. Belman, which carried by a vote of 7 to 0, the following was adopted:

A RESOLUTION TO RENUMBER THE OLD SECTION OF RICHARD'S  
FERRY ROAD (STATE ROUTE 752) AS STATE ROUTE 813

WHEREAS, Richard's Ferry Road (State Route 752) from Warrenton Road (U. S. Route 17) to 0.18 mile south of Warrenton Road has been altered, and a new road has been constructed and approved by the State Highway Commission on November 26, 1974; and


WHEREAS, the old location of Richard's Ferry Road not altered by construction or reconstruction remained in the Secondary System of State Highways to continue service to the citizens who live on the road; and

WHEREAS, the proposed renumbering of an 0.08 mile section of old Richard's Ferry Road as State Route 813 will provide greater continuity and less confusion than currently exists;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of April, 1988, that the old section of Richard's Ferry Road from Warrenton Road to 0.18 mile south of Warrenton Road be and it hereby is renumbered as State Route 813 and will remain in the Secondary System of Highways in accordance with policy set forth by the Commonwealth Transportation Board; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Resident Engineer.

A Copy, teste:

  
\_\_\_\_\_  
C. M. Williams, Jr.  
County Administrator

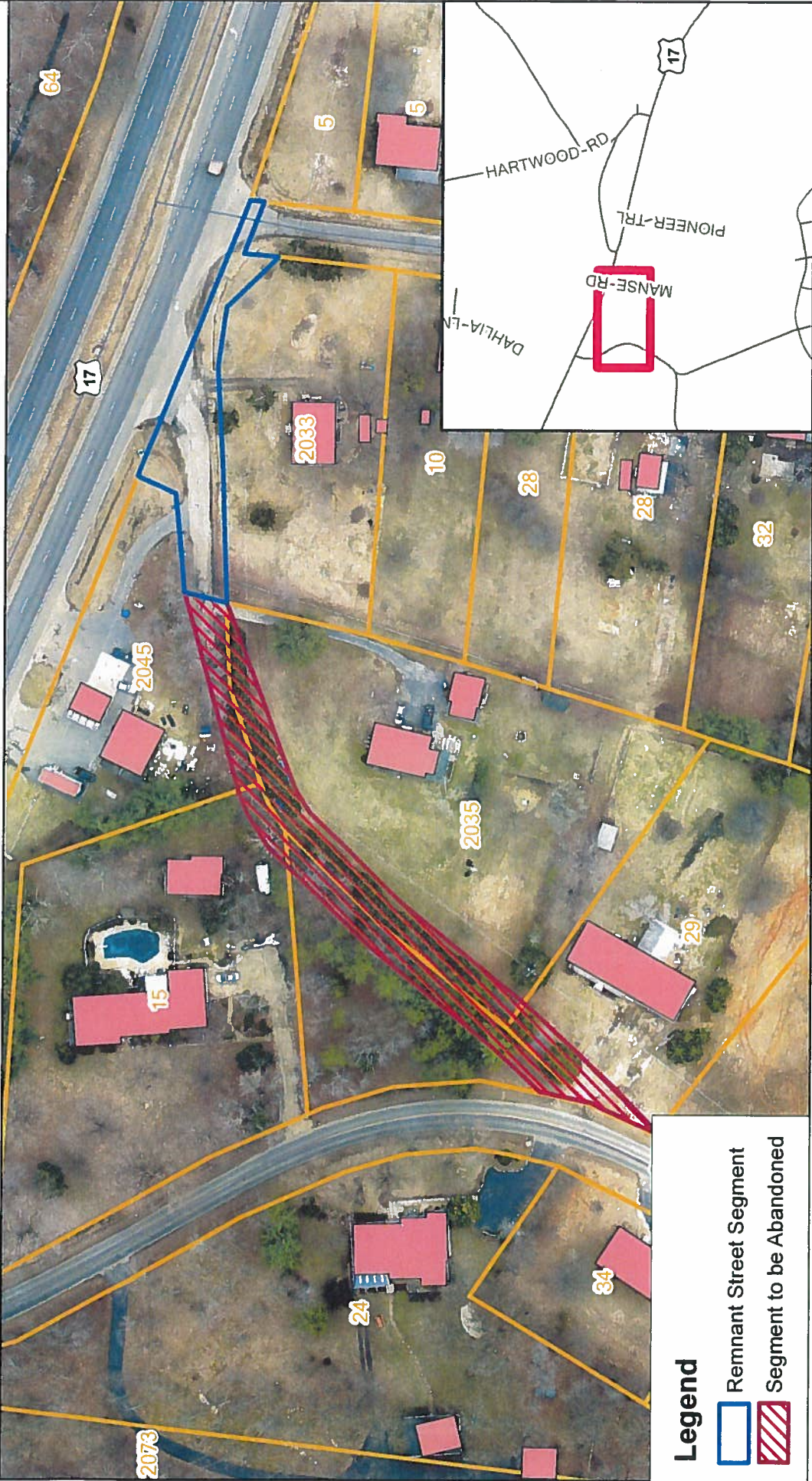
CMWJr:RT:ek





# Richards Ferry Road Abandonment Plan

Produced by the Stafford County GIS Office  
540-658-4033 | [www.StaffordCountyGIS.org](http://www.StaffordCountyGIS.org)

Attachment 3



## Legend

-  Remnant Street Segment
-  Segment to be Abandoned

Coordinate System: NAD 1983 HARN StatePlane Virginia North FIPS 4501 Feet

Produced: 6/30/2015

MXD Path: \\snv16\gisdata\users\gis\Brad\MiscProjects\Public Works\RichardsFerryRd\RichardsFerryRd.mxd

Data layers are compiled from various sources and are not to be construed or used as a "legal description." Data layers are believed to be accurate, but accuracy is not guaranteed.

PROPOSED

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 18<sup>th</sup> day of August, 2015:

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MEMBERS:

Gary F. Snellings, Chairman  
Laura A. Sellers, Vice Chairman  
Meg Bohmke  
Jack R. Cavalier  
Paul V. Milde, III  
Cord A. Sterling  
Robert "Bob" Thomas, Jr.

VOTE:

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On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION PETITIONING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ABANDON A PORTION OF PRESCRIPTIVE RIGHT-OF-WAY FOR STATE ROUTE 813, (FORMER RICHARDS FERRY ROAD) IN THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, old State Route 752 (Richards Ferry Road) was relocated to improve its intersection with Route 17 (Warrenton Road); and

WHEREAS, in 1988 the Board adopted Resolution R88-238 renumbering a section of the former Richards Ferry Road from State Route 752 to State Route 813, but did not officially abandon the prescriptive right-of-way associated with the road; and

WHEREAS, the Virginia Department of Transportation (VDOT) received a request from Tracy J. Lippincott, the property owner of Tax Map Parcel No. 35-10, desiring the right-of-way be formally conveyed to her; and

WHEREAS, VDOT requested that the Board formally petition VDOT to abandon the unnecessary right-of-way to allow the Commonwealth Transportation Board to officially convey the abandoned right-of-way to Ms. Lippincott; and

WHEREAS, the prescriptive right-of-way associated with the former Richards Ferry Road (State Route 813) no longer serves a public need; and

WHEREAS, the Board conducted a public hearing and carefully considered the recommendations of staff and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board desires to petition VDOT to abandon the prescriptive right-of-way associated with the former Richards Ferry Road (State Route 813);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18<sup>th</sup> day of August, 2015, that the Virginia Department of Transportation (VDOT) be and it hereby is requested to make adjustments to the Secondary System of State Highways to abandon the prescriptive right-of-way, consisting of approximately 0.15 mile, which is associated with the former Richards Ferry Road (State Route 813), pursuant to Virginia Code Section 33.2-909; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the VDOT Residency Administrator.

AJR:ckr:tbn