

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to authorize a boundary line agreement and quitclaim of interest in and to private property and the acceptance of an easement by the Department of Forestry in Cumberland County.

[H 2061]

Approved

Be it enacted by the General Assembly of Virginia:

1. § 1. *That in accordance with and as evidence of General Assembly approval, the Department of Forestry (Department) is hereby authorized to enter into a boundary line agreement and an encroachment agreement (together, Agreement) to settle upon a common boundary line with property lying adjacent to Cumberland State Forest (State Forest) situated in the Hamilton District, Cumberland County, Virginia, shown and designated as "TAX MAP 34-3, 14.258 ACRES" (Property) on a plat entitled "COMPILED PLAT SHOWING TWO PARCELS OF LAND LYING ON THE SOUTH LINE OF SUGARFORK ROAD, HAMILTON DISTRICT, CUMBERLAND COUNTY, VIRGINIA" prepared by ThomaSurveying, P.C., dated June 19, 2022, and recorded with a deed with the Clerk of the Circuit Court of Cumberland County, Virginia, as Instrument Number 202200924 (Plat), and to address encroachments upon the State Forest. The Department is also authorized to quitclaim and release any interest it may hold in the Property (Quitclaim) to the owners of the Property, Francis Xavier Luevano and Valerie Anne Luevano, and their successors and assigns (Owners). The purpose of this authorization is to conclusively establish the boundary line as shown on the Plat between the Department and the Owners related to the State Forest and the Property.*

§ 2. *That in accordance with and as evidence of General Assembly approval pursuant to § 10.1-1107 of the Code of Virginia, the Department is hereby authorized to accept, on behalf of the Commonwealth, upon such terms as the Department deems proper and with the approval of the Governor, a perpetual access easement across a portion of the following grantors' (together, Grantors) property in Cumberland County: (i) Stella Watson Chambliss and Rick Matthew Chambliss's property, identified as tax map parcel number 21-A-22; (ii) Weyerhaeuser Company's property, identified as tax map parcel number 21-A-23; and (iii) Wayne Rosson's property, identified as tax map parcel number 21-A-16. Such easement shall be 20 feet in width and consist of approximately three acres in total area, with a portion of the easement to be located on the existing road, while the remaining portion will align in a location agreeable to the Grantors and the Department. The purpose of the conveyance from the Grantors to the Department is to provide a perpetual access easement for ingress and egress from State Route 612 to a portion of the Cumberland State Forest where no express right-of-way exists.*

§ 3. *The execution of the Agreement, including the Quitclaim, shall be made upon terms the Department deems proper, including reasonable consideration for the conveyance, which may include costs and fees charged in this matter by the Department of General Services and Office of the Attorney General, with the approval of the Department of General Services and the Secretary of Administration, and in a form approved by the Attorney General. The granting and conveying of the perpetual access easement pursuant to § 2.2-1149 of the Code of Virginia shall be made in a form approved by the Attorney General and further approved by the Secretary of Administration at the recommendation of the Department of General Services. 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 conveyances.*

ENROLLED

HB2061ER