COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item #4

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

January 16, 2008

MOTION

Made By: Dr. Davis Seconded By: Mr. Davies Action: Motion Carried, Unanimously

Title: Economic Development Access – Frederick County, Project 0825-034-719, N501 Alban Tractor Company Inc.

WHEREAS, Section 33.1-221 of the *Code of Virginia* provides a fund to "...be expended by the Board for constructing, reconstructing, maintaining or improving access roads within counties, cities, and towns to economic development sites on which manufacturing, processing or research and development facilities, distribution centers, regional service centers, corporate headquarters, or other establishments that also meet basic employer criteria as determined by the Virginia Economic Development Partnership in consultation with the Virginia Department of Business Assistance will be built under firm contract or are already constructed …" and

WHEREAS, the Frederick County Board of Supervisors has, by appropriate resolution, requested Economic Development Access funds to serve Alban Tractor, Company, Inc., located north of the Winchester, off Route 669 and said access is estimated to cost $240,000; and

WHEREAS, it appears that this request falls within the intent of Section 33.1-221 of the *Code of Virginia* and complies with the provisions of the Commonwealth Transportation Board's (CTB) policy on economic development access.

NOW, **THEREFORE**, **BE IT RESOLVED,** that $240,000 of the 2007-2008 Fiscal Year Economic Development, Airport and Rail Access Fund be allocated to provide adequate access to Alban Tractor Company, Inc., north of Winchester, off Route 669, Project 0825-034-719, N501, contingent upon:

1. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and

2. Execution of an appropriate agreement between the County of Frederick (LOCALITY) and the Virginia Department of Transportation (VDOT), to provide for the:

   a. design, administration, construction and maintenance of this project; and

   b. payment of all ineligible costs, and of any eligible costs in excess of this allocation, from sources other than those administered by VDOT; and

3. Provision by the LOCALITY of documentation for at least $2,400,000 of eligible capital outlay by Alban Tractor Company, Inc. on the site served by this project; and

4. Determination by VDOT of eligible capital outlay in accordance with current policy and procedures for administering the Economic Development Access Program.

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