



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106

(804) 786-1830
Richmond, Virginia 23219
Fax: (804) 225-4700

Agenda item # 11

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

October 15, 2009

MOTION

**Made By: Mr. McCarthy Seconded By: Mr. Bowie
Action: Motion Carried, Unanimously**

Title: Rail Industrial Access – Essroc Cement Corporation, LLC

Location: Hanover County

WHEREAS, Section 33.1-221.1:1 of the *Code of Virginia* declares it to be in the public interest that access railroad tracks and facilities be constructed to certain industrial or commercial sites; and

WHEREAS, the Board of Supervisors of Hanover County has, by a resolution dated June 24, 2009, shown support for application of \$325,625 in Industrial Access Railroad Track funds for assistance in construction of track to serve the Essroc Cement Corporation; and

WHEREAS, the Virginia Economic Development Partnership has, by letter dated June 16, 2009, shown support for the project and the application for rail access funds; and

WHEREAS, Buckingham Branch Railroad has, by letter dated June 9, 2009, shown support for the project and their commitment to provide rail access to serve the facility; and

WHEREAS, the Essroc Cement Corporation facility is located in Hanover County, Virginia; and

WHEREAS, this request falls within the intent of Section 33.1-221.1:1 and is in accordance with the provisions of the Commonwealth Transportation Board's policy on the use of Industrial Access Railroad Track funds; and

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WHEREAS, in accordance with the funding formula established by said policy, funding may be allocated to this project; and

WHEREAS, pursuant to the 2009 Appropriations Act, funding is provided by the General Assembly for Industrial, Airport, and Rail Access projects; and

WHEREAS, the Board believes that this project is for the common good of a region of the Commonwealth and serves a public purpose.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby approves that \$325,625 (\$300,000 unmatched and \$25,625 matched) of the Industrial, Airport, and Rail Access Fund, unmatched be provided to construct new track to serve the Essroc Cement Corporation facility located in Hanover County contingent upon:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above \$325,625, which is allocated herein as an industrial rail access grant, being borne by Essroc Cement Corporation, or sources other than those administered by the Department of Rail and Public Transportation.
3. Execution of an agreement acceptable to the Department of Rail and Public Transportation.

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