



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # 11*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**January 18, 2012**

#### **MOTION**

**Made By: Mr. Layne Seconded By: Dr. Davis**

**Action: Motion Carried, Unanimously**

**Title: Rail Industrial Access – City of Chesapeake**

**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 Council of the City of Chesapeake has, by resolution dated December 13, 2011 shown support for the application of \$105,000 in Economic Development Access Railroad Track funds for construction of track to serve the Chesapeake, Virginia facility of Perdue AgriBusiness, Inc.; and,

**WHEREAS**, the facility is located in Chesapeake, 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 Economic Development Access Railroad Track funds; and,

**WHEREAS**, the City of Chesapeake has expressed to Mr. Aubrey Layne, Jr., CTB Board Member, that the project is important to the community and removes trucks from local and state roadways; and,

**WHEREAS**, although the project has already been constructed, at the request of the Hampton Roads District Member, the Department brought this project to the Board for briefing and special consideration for funding; and,

**WHEREAS**, the project has been constructed during this period of deliberation; 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 \$105,000 of the Economic Development, Airport, and Rail Access Fund, \$105,000 unmatched and with no funds requiring a match, be provided post construction for completed track project now serving the [Perdue AgriBusiness](#), Inc. facility in the City of Chesapeake contingent upon:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above \$105,000, which is allocated herein as an industrial rail access grant, being borne by the Grantee, Perdue AgriBusiness, Inc., or sources other than those administered by the Virginia Department of Rail and Public Transportation.
3. Execution of an agreement acceptable to the Virginia Department of Rail and Public Transportation.

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