



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106  
Richmond, Virginia 23219

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*Agenda Item #4*

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

**January 16, 2013**

#### **MOTION**

**Made By: Mr. Cole      Seconded By: Mr. Martin**

**Action: Motion Carried, Unanimously**

**Title: Rail Industrial Access – Englewood Enterprises, LLC**

**Location: City of Richmond, Virginia**

**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 commercial sites; and

**WHEREAS**, the City Council of Richmond has, by resolution dated November 26, 2012, shown support for the application of up to \$262,500 in Industrial Access Railroad Track funds for assistance in construction the Englewood Enterprises, LLC rail unloading facility serving Kinder Morgan with ethanol; and

**WHEREAS**, CSX Transportation, Inc. has, by letter dated September 21, 2012, shown support for the project and the application for rail access funds; and

**WHEREAS**, Englewood Enterprises, LLC's proposed tracks and pipeline is located in the City of Richmond, 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

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

**WHEREAS**, pursuant to the 2012 Acts of Assembly, funding is provided by the General Assembly for Industrial, Airport, and Rail Access projects; and

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**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 \$262,500 of the Industrial, Airport, and Rail Access Fund be provided as a grant to Englewood Enterprises, LLC for the construction of 2,000 feet of new track to serve the proposed unloading facility serving Kinder Morgan on Dale Avenue in Richmond, Virginia contingent upon the following:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above the \$262,500 allocated herein as an industrial rail access grant, being borne by Englewood Enterprises, LLC 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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