

At a regular scheduled meeting of the Spotsylvania County Board of Supervisors held on May 8, 2018 on a motion by _____, seconded by _____ and passed by a vote of ____ ayes and ____ nays, the Board adopted the following resolution:

RESOLUTION NO. 2018-

**A RESOLUTION REQUESTING
ECONOMIC DEVELOPMENT ACCESS PROGRAM FUNDING**

WHEREAS, the Spotsylvania County Economic Development Authority, created and functioning pursuant to the *Code Of Virginia* for the purpose of advancing economic development in Spotsylvania County, is gaining ownership and control of 48.07489 acres of property, more or less, located off of Route 2 and 17 (Tidewater Trail) in Spotsylvania County Virginia, within Lee Hill Voting District (hereinafter the “subject property”), and is actively marketing the same in accordance with their said purpose and mission; and

WHEREAS, the subject property is expected to be the site of new private capital investment in land, building, and manufacturing which will provide substantial new tax base and employment opportunities in Spotsylvania County; and

WHEREAS, the subject property has no suitable industrial or business access to a public street or highway and will require the construction of a new roadway to provide adequate connection to Route 2 and 17 (Tidewater Trail); and

WHEREAS, Spotsylvania County hereby acknowledges that the Virginia Department of Transportation’s Economic Development Access (EDA) Program may provide up to a maximum of \$650,000 for a project and requires matching funding, of up to \$150,000, from the Spotsylvania County, for estimated eligible project costs over \$500,000, and up to \$800,000; and

WHEREAS, Spotsylvania County desires to apply for and receive the benefit of Virginia Department of Transportation EDA Program funds; and

WHEREAS, the Spotsylvania County hereby states its intention to comply with all Virginia Department of Transportation EDA Program requirements, including but not limited to, intending to give its assurance that the necessary environmental analysis, mitigation, fee simple right of way and utility relocations or adjustments, if necessary, for this project will be funded by Spotsylvania County; and

WHEREAS, the Spotsylvania County acknowledges that no land disturbance activities may occur within the limits of the proposed access project prior to appropriate notification from the Virginia Department of Transportation as a condition of the use of the EDA Program funds; and

WHEREAS, Spotsylvania County hereby states that it intends to guarantee the payment of all ineligible project costs, project costs exceeding the EDA Program project allocation, EDA Program required locality matching funds, if applicable, and all costs not justified by or determined to be eligible capital outlays by the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED THAT: The Spotsylvania County Board of Supervisors hereby requests that the Commonwealth Transportation Board provide Economic Development Access Program funding to provide adequate road access to the subject property (48.07489 acres of property, more or less, located off of Route 2 and 17 (Tidewater Trail) in Spotsylvania County Virginia, within Lee Hill Voting District); and

BE IT FURTHER RESOLVED THAT: Spotsylvania County hereby states that it intends to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, upon the approved appropriations by Spotsylvania County Board of Supervisors, in the full amount of the Commonwealth Transportation Board's allocation less eligible private capital outlay credit as determined by VDOT, and agrees that this surety shall be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur on the qualifying parcels identified by the attached survey within five years of the Commonwealth Transportation Board's allocation of funds pursuant to this request; and

BE IT FURTHER RESOLVED THAT: The Spotsylvania County Administrator and/or his designee(s) be authorized to act on behalf of the Spotsylvania County Board of Supervisors to execute any and all documents necessary to secure funding in the maximum amount eligible under the Economic Development Access Program; and

BE IT FURTHER RESOLVED THAT: The Spotsylvania County Board of Supervisors hereby requests that the new roadway so constructed will be added to and become a part of the secondary system of state highways pursuant to Section 33.2-1509, paragraph C., of the *Code of Virginia*.

BE IT FURTHER RESOLVED THAT: Spotsylvania County will request the new roadway located off Tidewater Trail, Route 2 and 17, so constructed to be added to receive maintenance in accordance with the provisions of Section 33.2-366 of the *Code of Virginia*, and such request for street additions will be submitted, together with a copy of this resolution and such maps and other documents as may be necessary in the manner prescribed by the Department.

(SEAL)

A COPY TESTE: _____
Aimee Mann, Deputy Clerk