

RESOLUTION

AGREEMENT WITH WAL-MART STORES, INC.,

FOR USE OF INDUSTRIAL ACCESS ROAD FUNDS

WHEREAS, Wal-Mart seeks to induce the County to adopt a resolution requesting Virginia Industrial Access Road funds to assist in providing suitable access to Wal-Mart's 161 +/- acre parcel within the Green Mount Industrial Park located off Route 60, Pocahontas Trail, in James City County, Virginia (the "Parcel"); and

WHEREAS, the County will be requesting that the Commonwealth Transportation Board allocate approximately \$400,000, cost estimates and actual costs to be determined at a later time, from the Industrial Access Fund to assist in installing turn lanes along Route 60, a traffic signal at the new intersection, if warranted, and overlaying the surface of the new entrance road in order to provide access to the Parcel (the "Project"); and

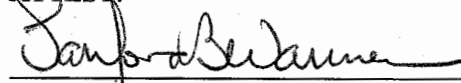
WHEREAS, the County will be required to make certain assurances, provide right-of-way for the Project, accept responsibility for certain contingencies, and post surety with the Virginia Department of Transportation ("Department") in order to induce the Commonwealth Transportation Board to approve the Project; and

WHEREAS, Wal-Mart agrees to pay any costs that the County may incur associated with the Project that are not reimbursed by the Industrial Access Fund; and

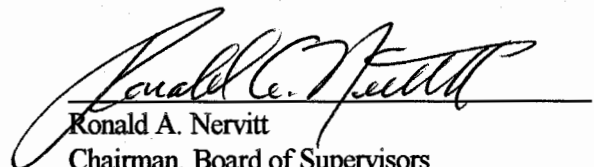
WHEREAS, Wal-Mart agrees to provide sufficient surety to the County, prior to the County entering into an agreement with the Department, to insure reimbursement to the County for any payment due the Department under the Industrial Access Fund for the Project's construction not justified by eligible industrial capital outlays by eligible industry or industries served by the Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to enter into an agreement with Wal-Mart Stores, Inc., to allocate the responsibilities of the parties concerning the use of Industrial Access Road funds to construct the qualifying road improvements along Pocahontas Trail and the entrance road to the Wal-Mart's Distribution Center in the Green Mount Industrial Park.

ATTEST:



Sanford B. Wanner
Clerk to the Board


Ronald A. Nervitt
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
HARRISON	AYE
GOODSON	AYE
KENNEDY	AYE
NERVITT	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2000.