## AMENDMENT TO JUNE 5, 2017 RESOLUTION FOR ATMOS GAS LINE EASEMENTS TO SERVE THE VIRGINIA TECH BASEBALL FACILITIES

A gas line route previously approved by the Board of Visitors for natural gas service for the new Virginia Tech baseball stadium needs to be relocated. Upon additional onsite review by Atmos, the university's needs are better served with the newly proposed gas line route.

## AMENDMENT TO JUNE 5, 2017 RESOLUTION FOR ATMOS GAS LINE EASEMENTS TO SERVE THE VIRGINIA TECH BASEBALL FACILITIES

WHEREAS, the Virginia Polytechnic Institute and State University ("Virginia Tech") Board of Visitors at its June 5, 2017 meeting authorized the Vice President, his successors and/or assigns, to execute an easement or easements as may be needed to extend Atmos Energy Corporation ("Atmos") gas lines to serve the planned improvements to the Virginia Tech Baseball Facilities; and

**WHEREAS**, on June 5, 2017, the Virginia Tech Board of Visitors approved the location of the gas line route shown on the attached drawing entitled "ATMOS GAS LINE SKETCH VT BASEBALL." Upon additional onsite review by Atmos, Virginia Tech's needs would be better served with an alternate gas line route; and

WHEREAS, Capital Construction and Renovation, the Department of Athletics, the Department of Horticulture, and Atmos developed an alternate route for the gas line being twenty feet (20') wide and approximately three hundred fifty feet (350') long along the southern edge of the Hahn Horticulture Garden as more particularly shown and described on the attached drawing entitled "GAS" with limited damage to the flora in that area; and

**WHEREAS**, Virginia Tech and Atmos are agreeable to extending the gas line in the general areas and locations depicted on the attached drawing to accommodate the improvements to the Virginia Tech Baseball Facilities;

**NOW, THEREFORE, BE IT RESOLVED** that the previous authorization of a gas line extension along Duck Pond Drive is hereby revoked; and

**BE IT FURTHER RESOLVED**, that the Vice President for Operations, his successors and/or assigns, be authorized to execute an easement to extend an Atmos gas line to serve the planned new Virginia Tech baseball stadium as set forth herein, in accordance with applicable Virginia Tech procedures for easements as permitted by the Higher Education Restructuring Act and Management Agreement with the Commonwealth of Virginia, and the <u>Code of Virginia (1950)</u>, as amended.

## **RECOMMENDATION:**

That the above resolution revoking the authorization of a gas line extension along Duck Pond Drive and authorizing the Vice President for Operations, his successors and/or assigns, to execute an easement to extend an Atmos gas line to serve the planned new Virginia Tech baseball stadium be approved.

September 11, 2017

