



305 Chestnut Street
PO Box 1810
Wilmington, NC 28402
Ph: (910) 341-3258
Fax: (910) 341-7801
www.wmpo.org

Create and execute continuing, cooperative and comprehensive regional long-range planning efforts that pro-actively drive transportation decisions to improve safety, connectivity, economic development and quality of life in the Wilmington region.

Special Meeting
Wilmington Urban Area MPO Board
320 Chestnut Street, 6th Floor Conference Room
Wilmington, NC
June 26, 2019
3:00 pm

1. Call to Order
2. Closed Session
3. Consideration of and possible action on a Resolution authorizing the Executive Director to enter into a proposed tolling agreement on behalf of the Wilmington Urban Area Metropolitan Planning Organization related to potential litigation involving the following parties: PRD Properties, LLC; John H. Garrason, Executor of the Estate of Glenda E. Garrason a.k.a Glenda Elizabeth Goforth Garrason; Movies One, LLC; Hampstead 504, LLC; MBD Holdings, LLC; FJH, LLC; North Carolina Department of Transportation; and Wilmington Urban Area Metropolitan Planning Organization.
4. Adjourn

Wilmington Urban Area Metropolitan Planning Organization

City of Wilmington • Town of Carolina Beach • Town of Kure Beach • Town of Wrightsville Beach
County of New Hanover • Town of Belville • Town of Leland • Town of Navassa • County of Brunswick
County of Pender • Cape Fear Public Transportation Authority • North Carolina Department of Transportation

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
BOARD**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A
PROPOSED TOLLING AGREEMENT ON BEHALF OF THE WILMINGTON URBAN AREA
METROPOLITAN PLANNING ORGANIZATION RELATED TO POTENTIAL LITIGATION
INVOLVING THE FOLLOWING PARTIES: PRD PROPERTIES, LLC; JOHN H. GARRASON,
EXECUTOR OF THE ESTATE OF GLENDA E. GARRASON A.K.A GLENDA ELIZABETH
GOFORTH GARRASON; MOVIES ONE, LLC; HAMPSTEAD 504, LLC; MBD HOLDINGS,
LLC; FJH, LLC; NORTH CAROLINA DEPARTMENT OF TRANSPORTATION; AND
WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION**

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the North Carolina Board of Transportation; and

WHEREAS, the proposed Hampstead Bypass (R-3300) extends from the US 17 Wilmington Bypass in New Hanover County to US 17 in Pender County; and

WHEREAS, the North Carolina Department of Transportation signed the State Record of Decision for the Military Cutoff Road extension and Hampstead Bypass on September 30, 2014; and

WHEREAS, the Hampstead Bypass is identified in the current State Transportation Improvement Program (June 2019) in two phases with R-3300A being from the US 17 Bypass south of Hampstead to NC 210 and R-3300B being from NC 210 to US 17 north of Hampstead; and

WHEREAS, both phases are funded for right of way acquisition, which is on-going, and R-3300B is funded for construction in FY 2021 through FY 2024; and

WHEREAS, on November 16, 2011 the Wilmington Urban Area MPO's Transportation Advisory Committee adopted the Transportation Corridor Official Maps for the Hampstead Bypass (R-3300); and

WHEREAS, the Transportation Corridor Official maps were filed with the New Hanover County and Pender County Register of Deeds on November 22, 2011; and

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization has been named as a defendant in a number of Map Act litigation cases; and

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization has been presented with a tolling agreement related to potential litigation involving the following parties: PRD Properties, LLC; John H. Garrason, Executor of the Estate of Glenda E. Garrason a.k.a Glenda Elizabeth Goforth Garrason; Movies One, LLC; Hampstead 504, LLC; MBD Holdings, LLC; FJH, LLC; North Carolina Department of Transportation; and Wilmington Urban Area Metropolitan Planning Organization.

NOW THEREFORE, be it resolved that the Board of the Wilmington Urban Area Metropolitan Planning Organization hereby authorizes the Executive Director to enter into a proposed tolling agreement on behalf of the Wilmington Urban Area Metropolitan Planning Organization related to potential litigation involving the following parties: PRD Properties, LLC; John H. Garrason, Executor of

the Estate of Glenda E. Garrason a.k.a Glenda Elizabeth Goforth Garrason; Movies One, LLC; Hampstead 504, LLC; MBD Holdings, LLC; FJH, LLC; North Carolina Department of Transportation; and Wilmington Urban Area Metropolitan Planning Organization.

ADOPTED at a special meeting of the Wilmington Urban Area Metropolitan Planning Organization's Board on June 26, 2019.

David Piepmeyer, Chair

Mike Kozlosky, Secretary