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*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.*

**TO:** Wilmington Urban Area MPO Board Members  
**FROM:** Mike Kozlosky, Executive Director  
**DATE:** December 2, 2020  
**SUBJECT:** December 4<sup>th</sup> SPECIAL MEETING

The Wilmington Urban Area Metropolitan Planning Organization Board will hold a SPECIAL MEETING on Friday, December 4, 2020, at 1:00 p.m. The meeting will be held at 305 Chestnut Street, 4th Floor Technology Conference Room, in downtown Wilmington, N.C. Due to public health and safety concerns from COVID-19, the meeting is being conducted remotely and public attendance at the meeting may be limited. PLEASE NOTE: This will be a remote meeting conducted pursuant to Section 4.31 of S.L. 2020-3, SB 704.

The remote meeting will be simultaneously streamed live online so that simultaneous live audio, and video, if any, of the meeting is available to the public at the following

URL: <https://zoom.us/j/92381024809?pwd=MnFuTG9VS01oSm1mM0F5MHIvZ29Qdz09>

The public may also dial in and listen to the simultaneous live audio of the remote meeting at the following dial in number: (646) 558-8656. And when prompted, enter: Meeting ID#: 923 8102 4809 and Passcode: 320839.

Please join the meeting from your computer, tablet or smartphone.

The following is the agenda for the meeting:

1. Call to Order
2. Conflict of Interest Statement
3. Approval of the Agenda
4. Closed Session
5. Consideration of and possible action on a Resolution authorizing the Executive Director to enter into a Settlement Agreement with Jamestown Pender L.P. and North Carolina Department of Transportation for Civil Action No. 14 CVS 528, Pender County Superior Court
6. 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  
SETTLEMENT AGREEMENT WITH JAMESTOWN PENDER, L.P. AND NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION FOR CIVIL ACTION NO. 14 CVS 528, PENDER  
COUNTY SUPERIOR COURT**

**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**, North Carolina General Statute 136-44.50 et seq. Transportation Corridor Official Map Act allowed the filing of Transportation Corridor Official Maps in order to preserve transportation corridors; and

**WHEREAS**, the Transportation Corridor Official Map Project R-3300 for the Hampstead Bypass was recorded by the Wilmington Urban Area Metropolitan Planning Organization in the Pender County Register of Deeds on November 22, 2011; and

**WHEREAS**, based upon the Map Act and the filing of the Transportation Corridor Official Map Project R-3300 for the Hampstead Bypass, Jamestown Pender L.P. filed a civil action against the North Carolina Department of Transportation, and Wilmington Urban Area Metropolitan Planning Organization in Pender County Superior Court on June 27, 2014, Civil Action No. 14 CVS 528; and

**WHEREAS**, Jamestown Pender L.P., North Carolina Department of Transportation and Wilmington Urban Area Metropolitan Planning Organization have now agreed to fully compromise and settle Civil Action No. 14 CVS 528 and all matters related to the allegations and claims more particularly described in Civil Action No. 14 CVS 528, Pender County Superior Court.

**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 Settlement Agreement with Jamestown Pender L.P. and North Carolina Department of Transportation for Civil Action No. 14 CVS 528, Pender County Superior Court.

**ADOPTED** at a special meeting of the Wilmington Urban Area Metropolitan Planning Organization's Board on December 4, 2020.

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David Piepmeyer, Chair

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Mike Kozlosky, Secretary