

Media Mention: Ryal Tayloe on Map Act Fallout

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It may be the end of the road for the Map Act, but some property owners are still feeling its effects.

The NC General Assembly enacted the Map Act back in 1987. It allowed the NC Department of Transportation to reserve land for future road projects and in some cases barred landowners from developing or building on their private property in these designated areas. The NC Supreme Court struck down the Act back in 2016.

Recently, the Greater Wilmington Business Journal interviewed Ward and Smith litigator Ryal Tayloe, who represented plaintiffs in several Map Act lawsuits. Ryal specifically he talked about the Nixon family and how the law affected them. From the article:

“As soon as they started talking about developing the property, the highway department said, ‘OK, we’re thinking about doing this Military Cutoff Extension,’ and then that led up to the recording of the map,” Tayloe said. “And then, the way the Map Act worked, once they put that map on record, you couldn’t do anything within the corridor of where the highway was going to be – almost all of the Nixon property [21 of 24 acres] in this instance.”

The only way to get around it, he said, was to apply for a development permit and then wait three years. After three years, the law required NCDOT to either buy the property or allow the proposed development.

“The problem with that is, the city of Wilmington required a full engineered development plan to include with the application for the permit approvals, and that was going to cost thousands and thousands of dollars to get an engineer to study the property and prepare design drawings for any sort of development,” Tayloe said.

“They weren’t willing to do that, and on top of that, why would you do any kind of commercial or other development when you know it’s just going to be a temporary thing, when they say a highway’s coming ... It would just make no sense for anyone to develop a piece of commercial property where you’re going to lease to a tenant, and the tenant’s going to say, ‘Why would I want to establish my brand and footprint here when I’m going to have to move at some point in time in the future?’” [Read More.](#)

Ryal is an experienced litigator who has handled a wide range of litigation cases in state and federal courts, many of them jury trials. He has extensive construction law experience, including lien law, federal and state bond claims, and defective workmanship cases. Additionally, he has significant experience with agribusiness litigation, property owner association disputes, personal injury, and all types of real estate disputes, including title insurance claims, trespass, adverse possession, condemnation, easement rights, and wrongful timber cutting. Ryal has been rated by his peers as being "preeminent" in his fields of law.