

Media Mention: Ward and Smith Attorneys Settle Pender County Map Act Case for \$17.5M

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Ward and Smith attorneys secured a \$17.5 million settlement for a North Carolina developer at odds with the North Carolina Department of Transportation (DOT).

The Facts

The case was recently highlighted by *NC Lawyers Weekly*, who detailed the lawsuit filed on behalf of a real estate development company by Ward and Smith attorneys Ryall Tayloe, Jeremy Wilson, Alex Dale, and Matthew Bryant of Hedrick Bryant.

In 2006, the real estate development company purchased 684 acres in Pender County to build a mixed-use development. However, five years later, the DOT "froze future development on 40 acres running through the middle of the property in order to build an interchange between U.S. 17 and the future Hampstead Bypass." The DOT stopped the development of the property under the state's now-defunct Map Act, which gave the agency the power to impose a development moratoria on land within designated transportation corridors. DOT, however, refused to pay just compensation for the taking of the property resulting from these restrictions. The Map Act subsequently was declared unconstitutional by the Supreme Court of North Carolina.

The publication mentions that the company filed an inverse condemnation lawsuit against the DOT in 2014. That trial was scheduled to start in November, "but COVID-19 slowed and then halted jury trials."

The Settlement

The case was settled in October 2020. According to *NC Lawyers Weekly*, the company will deed all but eight acres of the property to the DOT.

You can read more about the case, and get more information about all the settlement details on *NC Lawyers Weekly*. The article is behind a paywall.