

MEADOWLANDS DEVELOPMENT, LLC

May 1, 2017

STATEMENT AS TO THE CIRCUMSTANCES CONCERNING THE PREVIOUSLY
PROPOSED HIGHWAY 109 ALTERNATE 6 CORRIDOR

Since the middle of the 1990's, there has been an effort to provide a 4-lane highway from Thomasville to Winston-Salem with the intention of relieving the purported safety issues of the present 2-lane Highway 109. Additionally, the bypassing of the historic Village of Wallburg was paramount in the thoughts of the residents affected by the Highway 109 needs. A substantial effort was made beginning in the late 2000's to have the Highway 109 "bypass" pushed to the top of the "wish" list by those wanting same, particularly those folks in Davidson County.

Per the process utilized by the North Carolina Department of Transportation at that time, money was appropriated to study the possible and potential routes for this highway. Both the Winston-Salem and High Point Metropolitan Planning Organizations (MPO's), made up of representatives of various municipal entities in the area, pushed for more planning for such a highway.

After having the requisite public hearings, studying the various parameters required for planning purposes and developing 6 possible routes, the private sector consultants arrived at their recommended route for this highway, known as Alternate 6 (based on a combination of potential segments for the entire bypass road). This recommendation was considered by the two MPO's a number of times, both as one road extending from Winston-Salem to Thomasville as well as 3 independent legs which together extended over the same distance. In all cases the roadway, as proposed, was lacking in support for its construction relative to other highway needs in the area and the Proposed Highway 109 Alternate 6 Corridor was finally administratively dropped/shelved in late 2016 without any methodology to revive it except to, from "scratch", begin the process all over again. This administrative shelving was a result of both the MPO's denying any financial support for this roadway for the period 2017 to 2027 per the State Transportation Improvement Plan which determines which roads are to be moved forward for the next 10 years.

The Proposed Highway 109 Alternate 6 Corridor was never referred to the United States Transportation Department for consideration nor to the Environmental Protection Agency for review of environmental effects of such a roadway, both necessary for serious consideration for funding and construction. For reference purposes, this Proposed Highway 109 Alternate 6

Corridor was merely a proposal, never an actual approved project for either North Carolina or the United States.

This Proposed Highway 109 Alternate 6 Corridor crossed over several areas in our Meadowlands community, including significant parts of Heatherwood and Wakefield to the extent that many lots were potentially totally-or-partially consumed by the highway itself and as well as being contiguous to other lots, thus affecting their enjoyment as residential sites. No sales of lots within the proposed corridor in either of these neighborhoods were made after the recommendation of Alternate 6 Corridor for the Highway 109 Bypass. With the shelving or dropping of the proposed roadway, these neighborhoods are put back in the previous circumstances they enjoyed before the roadway proposal/recommendation was made.

Given all of this activity, the following gives our best understanding and answers to common questions that come to mind when builders and residential customers review the status of the Meadowlands lots previously affected by the proposed roadway.

QUESTION: As a result of the 109 Corridor recommendations for the Proposed Highway 109 Alternate 6 Corridor, are there any real or legal expectations that this road will be built?

ANSWER: Unless the North Carolina legislature changes the way roadways are evaluated, prioritized and funded, for the next 10 years this cannot happen. There is no reasonable expectation that this process will change. As a priority, this roadway was, and is, considered by the NCDOT to be extremely low given the substantial cost of the proposed roadway and the limited funds available for new road construction in this part of North Carolina. And its low priority indicates a very small possibility that it will ever be built so as to affect the Meadowlands Development.

QUESTION: Does the NC Department of Transportation or any municipal entity have any publicly recorded maps or other documents that would affect the ownership or enjoyment of homes in Meadowlands previously affected by the Proposed Highway 109 Alternate 6 Corridor?

ANSWER: In regard to this roadway project, there are no documents or maps that adversely affect the enjoyment of lots in Wakefield and Heatherwood previously falling within the ambit of the Proposed Highway 109 Alternate 6 Corridor. Neither the Davidson County Register of Deeds nor the Davidson County Planning Board have any documents that would limit the quiet enjoyment of homes in Meadowlands in Wakefield and Heatherwood as a result of this Proposed Highway 109 Alternate 6 Corridor route.

QUESTION: What efforts are there now on-going to resolve the issues that the Proposed Highway 109 Alternate 6 Corridor was intended to solve? **ANSWER:** There are continuing discussions by the stakeholders in the various municipalities as to the need to direct much of the

Highway 109 traffic around the Town of Wallburg. Those discussions seem to be aimed at improving the existing roadway on either end of the Town of Wallburg and also developing a method of avoiding the center of the historic Wallburg district by means of a possible/potential eastern bypass (limited access) that is much smaller and shorter in design. We have been told that no discussion is directed at the greater construction process represented by the Proposed Highway 109 Alternate 6 Corridor.

QUESTION: How does this situation differ from the Northern Beltway process in the northern part of Forsyth County that has tied up property for decades? ANSWER: The Northern Beltway was a legally designated corridor by the North Carolina Department of Transportation, was funded for land purchases, and was reflected in legal recordings in the public records including the NCDOT's own public records, the Forsyth County Register of Deeds, and the Forsyth County Planning Board. Any efforts to improve or transfer real property inside that corridor were controlled by these documents and entities. Contrasted to that was the mere proposal of the Proposed Highway 109 Alternate 6 Corridor which was never funded nor designated on the public records. Simply put, the Northern Beltway was approved by the NCDOT and the federal agencies for money and routing, had land-purchase money appropriated, was put on the list for construction funding, and designated as part of the future roadway construction process. The Proposed Highway 109 Alternate 6 Corridor was never approved nor funded for any purpose nor put on a list for construction by any entity. It was an idea, not an eventuality, unlike the Northern Beltway.

QUESTION: If I go to the public website of the North Carolina Department of Transportation, what will I see relative to the Proposed Highway 109 Alternate 6 Corridor? ANSWER: Based on the dropping or shelving of this proposal, any and all references, maps, plans, analysis and discussion has been eliminated from the NCDOT website. That same circumstance is true of the two MPO's websites as each has eliminated this proposed roadway from any type of consideration in the near time as well as a minimum of 10 years into the future.

QUESTION: If I call the North Carolina Department of Transportation, what will they tell me about the status of this highway and will they put their answer in writing? ANSWER: Representatives of the NCDOT will inform you, just as they informed us, that this Proposed Highway 109 Alternate 6 Corridor is no longer being considered for construction BUT it is doubtful if they will actually put that in writing to you. They have told us in many ways that this project is dead but will not, as a matter of policy, put that in writing.

HWY 109 PROJECT UPDATE AS OF APRIL 12, 2017

THE HWY 109 CORRIDOR, WHICH HAD PREVIOUSLY BEEN PROPOSED THROUGH THE MEADOWLANDS RESIDENTIAL AND GOLF COMMUNITY IN DAVIDSON COUNTY, HAS NOT BEEN FUNDED, APPROVED FOR CONSTRUCTION BY THE NCDOT OR APPROVED FOR CONSTRUCTION BY THE US DEPARTMENT OF TRANSPORTATION AND THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY.

ACCORDING TO THE NCDOT WEBSITE AS OF APRIL 12, 2017, "THIS ROAD PROJECT IS NO LONGER ACTIVE".

THE PREVIOUSLY SELECTED CORRIDOR HAS BEEN REMOVED FROM THE NCDOT WEBSITE. AS STATED ON THE NCDOT WEBSITE, IF THE PROJECT IS "FUNDED IN THE FUTURE, THEN THE NCDOT TEAM WILL UPDATE AND RE-EVALUATE ALL DATA AND RECOMMENDATIONS...."

FOR MORE INFORMATION VISIT THE NCDOT WEBSITE.

<https://www.ncdot.gov/projects/nc109improvements/>

BUYER ACKNOWLEDGEMENT

THIS THE _____ DAY OF _____, _____.

signature

print name

signature

print name