

**MEMORANDUM OF AGREEMENT
BETWEEN THE
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
AND
NORTH CAROLINA HISTORICAL COMMISSION
FOR
CONSTRUCTION OF A
ROUNDBOUT AT NC 2 (MIDLAND ROAD) AND CAROLINA VISTA ROAD,
PINEHURST, MOORE COUNTY**

WHEREAS, the North Carolina Department of Transportation (NCDOT) proposes to construct a roundabout at the intersection of NC Highway 2 (Midland Road) and Carolina Vista Road, in the Village of Pinehurst, Moore County (the Undertaking), due to traffic congestion and for safety purposes; and

WHEREAS, the Undertaking will have an adverse effect upon the Pinehurst Historic District, a property listed in the National Register of Historic Places and designated a National Historic Landmark by the National Park Service; and

WHEREAS, NCDOT has consulted with the North Carolina Historical Commission (Commission) pursuant to North Carolina General Statute 121-12(a); and

WHEREAS, the Village of Pinehurst (Village) and Resorts of Pinehurst (Resorts) have been invited to participate in the consultation and concur in this Memorandum of Agreement (Agreement),

NOW, THEREFORE, NCDOT and the Commission agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the Undertaking on the historic district.

Stipulations

NCDOT will ensure that the following measures are carried out.

I. Recordation of existing conditions

A. Prior to the alteration of NC 2 and Carolina Vista Road's current intersection, NCDOT shall record the existing condition of said intersection and its surroundings in accordance with the attached Historic Structures and Landscape Recordation Plan [Appendix A].

B. Prior to any construction taking place, the Village will conduct a tree and shrub inventory to include the location, species, and size of all trees and shrubs within the project's limits. The inventory, keyed to an accompanying map, shall be submitted to NCDOT and the staff of the Commission to provide a baseline and guidance for restoration of the landscape as outlined in Stipulation II.

II. Project plans and landscape restoration

A. Given the significance of the Olmsted landscape design to the character of the historic district, NCDOT and the Village have consulted with the Staff of the Commission to develop project plans and written guidelines to address the grade changes, drainage, staging, signage, lighting, materials, and overall design for the proposed roundabout. The plans and guidelines, dated December 21, 2006, and attached to this Agreement as Appendix B, shall be used to construct the project.

Should changes to the plans or guidelines, shown in Appendix B, become necessary, NCDOT will submit the proposed changes to the Staff of the Commission for review and comment.

B. NCDOT shall develop a landscape/planting plan for the treatment of the roundabout and that part of Midland Road, which will be abandoned or is disturbed by construction. The plans will incorporate plant species that are characteristic of the historic district, including longleaf pine, hollies, azaleas, and wax myrtle. NCDOT shall submit the landscape/planting plan to the Staff of the Commission for review and comment and shall be responsible for replacing any plant materials lost within two years of installation.

C. The Village of Pinchurst shall implement the landscape/planting plan for the proposed roundabout and the abandoned portion of Midland Road.

III. Dispute Resolution

Should the Staff of the Commission object within (30) days to any plans or documentation provided for review pursuant to this Agreement, the Commission shall consult with NCDOT to resolve the objection. Within thirty (30) days after receipt of all pertinent documentation, the Commission will provide NCDOT with recommendations to take into account in reaching a final decision regarding the dispute.

Execution of this Memorandum of Agreement by NCDOT and the Commission and implementation of its terms evidence that NCDOT has afforded the Commission an opportunity to comment on the construction of a roundabout at the intersection of NC Highway 2 (Midland Road) and Carolina Vista Road in the National Historic Landmark and Register-listed Pinchurst Historic District and that NCDOT has taken into account the adverse effect of the Undertaking on the historic district.

AGREED:

North Carolina Department of Transportation

By: William J. Rose

Date: March 19, 2007

North Carolina Historical Commission

By: Ferry L. Harrison

Date: Feb 8th, 2007

CONCUR:

Village of Pinchurst

By: *AM Wilkes*

Date: 3-22-2007

Resorts of Pinchurst

By: _____

Date: _____

CONCUR:

Village of Pinchurst

By: _____

Date: _____

~~Resorts of Pinchurst~~ Pinchurst LLC

By: Mark Potts

Date: 3/23/07

Historic Structures and Landscape Recordation Plan
For Roundabout at NC 2 (Midland Road) and Carolina Vista Road
Pinehurst, Moore County

Documentary Research shall include

Plan changes, renovation/repair records

Photographic Requirements

- ◆ Selected photographic views of the as a whole, and views of the structures and their setting, including:
- ◆ Overall views of the structures (elevations and oblique views)
- ◆ Overall views of the project area, showing the relationship of the structures to their setting

Photographic Format

- ◆ Color digital images (all views). Images are to be shot on a SLR digital camera with a minimum resolution of 6 megabyte pixels, at a high quality (preferably RAW) setting, to be saved in TIF format as the archival masters. Images should be catalogued in such a way as to be easily cross-referenced with an accompanying inventory. These images are to be saved on two sets of CD-ROMs, one for NCDOT and one for NC-HPO. There should also be two sets of contact sheets, to be printed on coated inkjet paper, as well. The accompanying printed inventory of the images— including subject, location, date, and photographer information for each image— is to be completed according to Division of Archives and History standards, and should also be included in the CD-ROMs.

Because CD-ROMs are occasionally not stable, it is also suggested that each institution place these images on a server to be periodically backed up.

Copies

One (1) set of all abovementioned photographic documentation will be deposited with the North Carolina Division of Archives and History/State Historic Preservation Office to be made a permanent part of the statewide survey and iconographic collection. The other contact sheet shall be deposited in the files of the Historic Architecture Section of NCDOT.

Guidelines for Construction Limits and Landscape Restoration

It is important that the historic landscape within this project area be altered as little as possible and that all design plans fully show cuts, fills, the removal of trees, staging areas and/or any other alterations to the landscape.

The guidelines below are applicable to the proposed roundabout and to any and all improvements to be made at any road widening or turn lane installations within the project area during the construction of this project, including the intersections of Azalea Road with Midland Road (NC 2), Cherokee Road and Shaw Road; the intersection of Carolina Vista Road with Shaw Road and Azalea Road; and the intersection of Midland Road (NC 2) with Beulah Hill Road (NC 5).

Staging Areas: NCDOT shall not permit staging areas within any contributing property of the Pinehurst Historic District nor where a staging area will impact the sightlines of contributing properties within the historic district. NCDOT may permit overnight parking of equipment and storage of materials, associated with current construction needs, within the non-contributing portion of the Resorts of Pinehurst property adjacent to the proposed project area.

Old Roadbed and Landscape Restoration: To construct the proposed roundabout, portions of Midland Road (NC 2) will no longer be part of the thoroughfare. The old roadbed's asphalt sections, including the portion east of Azalea Road, are to be removed and the area restored with grass seedlings and replanted with indigenous trees and shrubs such as longleaf pine, holly, oak, azaleas and wax myrtle. All areas disturbed by construction and outside the roundabout shall be planted in accordance with the plan outlined in Stipulation II. C.

Roundabout Materials and Plantings: In keeping with the landscape and indigenous plants within the historic district, the plantings within the roundabout, itself, are to be unobtrusive, and maintained by the Village of Pinehurst. The roundabout center should be free of any objects that may obstruct visibility or impair historic sightlines. The roundabout shall be constructed with a concrete apron, dyed and/or textured to resemble bricks.

Lane Width: The width of each lane within the roundabout shall not exceed 16 feet. (Note: Guidelines and modeling indicate that a minimum lane width of 16 feet will be needed for the travel lane around the roundabout to accommodate the design vehicle.) Lane widths for the remainder of the project area shall not exceed 14 feet.

Lighting: As part of the project NCDOT will reset the three existing pedestrian lights, at selected locations within the Undertaking's project area. These lights are the same style those already installed along Carolina Vista and Midland Roads. The Resorts of Pinehurst will assume ownership and maintenance of the lights and will pay all utility (electricity) costs. NCDOT will not install highway lighting within the proposed roundabout area.

Sidewalks: As a part of the roundabout construction, NCDOT will replace in-kind and realign, as needed, the existing brick sidewalk along Carolina Vista Road. Once constructed, the Resorts of Pinehurst will assume maintenance of the sidewalks.