



TOWN OF KNIGHTDALE

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FOR IMMEDIATE RELEASE

Court Grants Town of Knightdale's Motion for Summary Judgment in Wal-Mart Case

KNIGHTDALE, NC – April 17, 2007 — The Honorable Henry V. Barnette, Jr., the Superior Court Judge Presiding has ruled in favor of the Town of Knightdale's motion for Summary Judgment with respect to the contested rezoning of property planned to host a commercial development in the Town that will include a Super Wal-Mart. Knightdale's process for rezoning the property had been challenged by a group of plaintiffs claiming that errors had been made in bringing the development proposal forward. The case was heard November 30, 2006 in Wake County Superior Court.

One of the plaintiffs' key claims that was dismissed centered on Knightdale's use of relatively new statutory authority granted in 2005 to create conditional zoning districts. Knightdale's Unified Development Ordinance incorporated the use of conditional districts early last year and Judge Barnette ultimately approved the Town's use of such districts. In addition, Judge Barnette dismissed all of the claims alleging a conflict of interest by Mayor Pro Tem Mike Chalk. The Town of Knightdale was forced to spend a significant amount of taxpayer money and devote additional staff time to defend itself against the claims. "I'm pleased that a ruling has been issued upholding the Council and staff actions," stated Knightdale Mayor Doug Boyd. "Our efforts are always focused toward maximizing notification and public input on Town business, and this case was no exception." "I totally understand the concerns of the plaintiffs, but this ruling is best for the Town" Boyd concluded.

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