

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 1105
SENATE BILL 663

AN ACT TO TO AMEND G.S. 136-19 TO PERMIT THE STATE HIGHWAY COMMISSION TO COMPLY WITH THE RELOCATION ASSISTANCE FEDERAL AID RULES IN CONDEMNING LAND FOR FEDERAL PARKWAYS AND TO CLARIFY JURISDICTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-19 is hereby amended by deleting from the third paragraph thereof the word "hereinbefore" immediately following the word "law" in line 2 thereof and by deleting following the word "title" in line 9, the remainder of the third sentence, the portion being deleted being the words "and the nature and extent of the right of way and easements so acquired or appropriated shall be designated upon a map showing the location across each county, and, when adopted by the Commission, shall be filed with the register of deeds in each county, and, upon the filing of said map, such title shall vest in the State Highway Commission". That the third paragraph is further amended by adding after the last sentence thereof the following sentences: "Any conveyance to the United States Department of Interior of land acquired as provided by this section shall contain a provision whereby the State of North Carolina shall retain concurrent jurisdiction over the areas conveyed. The governor is further authorized to grant concurrent jurisdiction to lands already conveyed to the United States Department of Interior for parkways and entrances to parkways.", so that the third paragraph of G.S. 136-19 as herein amended shall read as follows:

"The State Highway Commission shall have the same authority, under the same provisions of law provided for construction of State highways, for acquirement of all rights-of-way and easements necessary to comply with the rules and regulations of the United States government for the construction of federal parkways and entrance roads to federal parks in the State of North Carolina. The acquirement of a total of one hundred twenty-five acres per mile of said parkways, including roadway and recreational and scenic areas on either side thereof, shall be deemed a reasonable area for said purpose. The right-of-way acquired or appropriated may, at the option of the Commission, be a fee simple title. The said Commission is hereby authorized to convey such title so acquired to the United States government, or its appropriate agency, free and clear of all claims for compensation. All compensation contracted to be paid or legally assessed shall be a valid claim against the State Highway Commission, payable out of the construction fund of said Commission. Any conveyance to the United States Department of Interior of land acquired as provided by this section shall contain a provision whereby the State of North Carolina shall retain concurrent jurisdiction over the areas conveyed. The governor is further authorized to grant concurrent jurisdiction to lands already conveyed to the United States Department of Interior for parkways and entrances to parkways."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 21st day of July, 1971.