

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1989**

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HOUSE BILL 973  
Second Edition Engrossed 5/1/89

Short Title: Condominium Act/Plats and Plans.

(Public)

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Sponsors: Representative R. Hunter.

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Referred to: Judiciary.

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March 31, 1989

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE CERTIFICATION OF A REGISTERED LAND  
3 SURVEYOR THAT THE PLATS OR PLANS OF THE CONDOMINIUM ARE  
4 ACCURATE.

5 The General Assembly of North Carolina enacts:

6           Section 1. G.S. 47C-2-109(b) reads as rewritten:

7       "(b) Each plat or plan or combination thereof must show:

- 8           (1) The name and a survey or general schematic map of the entire  
9           condominium;
- 10          (2) The location and dimensions of all real estate not subject to  
11          development rights or subject only to the development right to  
12          withdraw and the location and dimensions of all existing  
13          improvements within that real estate;
- 14          (3) The location and dimensions of any real estate subject to development  
15          rights, labeled to identify the rights applicable to each parcel;
- 16          (4) The extent of any encroachments by or upon any portion of the  
17          condominium;
- 18          (5) The location and dimensions of all easements having specific location  
19          and dimensions and serving or burdening any portion of the  
20          condominium;
- 21          (6) The verified statement of an architect licensed under the provisions of  
22          Chapter 83 (83A) of the General Statutes or an engineer registered  
23          under the provisions of Chapter 89C of the General Statutes certifying

- 1                   that such plats or plans fully and accurately depict the layout, location,  
2                   ceiling and floor elevations, unit numbers and dimensions of the units,  
3                   as built;
- 4           (6a) The certificate by a registered land surveyor licensed under the  
5           provisions of Chapter 89C of the General Statutes stating that the plats  
6           or plans accurately depict the legal boundaries and the physical  
7           location of the units and other improvements relative to those  
8           boundaries;
- 9           (7) The locations and dimensions of limited common elements; however,  
10           parking spaces and the limited common elements described in  
11           subsections 47C-2-102(2) and (4) need not be shown, except for decks,  
12           stoops, porches, balconies, and patios;
- 13           (8) A legally sufficient description of any real estate in which the unit  
14           owners will own only an estate for years, labeled as 'leasehold real  
15           estate';
- 16           (9) The distance between noncontiguous parcels of real estate comprising  
17           the condominium;
- 18           (10) Any unit in which the declarant has reserved the right to create  
19           additional units or common elements."
- 20           Sec. 2. This act shall become effective October 1, 1989, and applies to all  
21           plats and plans filed with the register of deeds on or after that date.