

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 455

Short Title: Map Filings.

(Public)

Sponsors: Senator Hartsell.

Referred to: Judiciary I.

March 3, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GENERAL STATUTES COMMISSION TO REQUIRE THAT MAPS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS MUST HAVE A SURVEYOR'S ORIGINAL SIGNATURE AND SEAL IN ORDER TO BE RELIED UPON AND THAT ALL OTHER MAPS MUST CONTAIN A CAUTIONARY LEGEND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 47-30(m) reads as rewritten:

"(m) Except as provided in subsection (n), any map prepared by a registered land surveyor and submitted for inclusion on the public record, whether submitted alone or attached to a deed or other instrument, shall be prepared by a registered land surveyor. conform to the standards of practice for land surveying in North Carolina, as defined in the Board rules of the North Carolina State Board of Registration for Professional Engineers and Land Surveyors. In the interest of the public welfare, and to assure that maps have not been altered prior to submission for recording, and in accordance with G.S. 89C-26, the maps shall have Such a map shall either (i) have an original personal signature and original seal as approved by the North Carolina State Board for of Registration for Professional Engineers and Land Surveyors. Surveyors or (ii) be a copy of a map, already on file in the public record, that is certified by the custodian of the public record to be a true and accurate copy of a map bearing an original personal signature and original seal. The presence of the original personal signature and seal shall constitute a certification that the map conforms to the standards of practice for land surveying in North Carolina, as defined in the rules of the North Carolina State Board of Registration for Professional

1 Engineers and Land Surveyors. Nothing in this subsection shall prohibit the recordation of a
2 document that includes an attachment not prepared by a registered land surveyor."

3 Sec. 2. G.S 47-30 is amended by adding a new subsection to read:

4 "(n) A map that does not meet the requirements of subsection (m) of this section
5 may be attached to a deed or other instrument submitted for inclusion in the public
6 record only for illustrative purposes and only if the map is conspicuously labelled,
7 'THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE
8 PLACED IN ITS ACCURACY.'"

9 Sec. 3. G.S. 89C-26 reads as rewritten:

10 **"§ 89C-26. Duties of register of deeds.**

11 ~~It shall be unlawful for the recorder~~ The register of deeds or the register of titles or any
12 other county or proper public authority, to authority may not file or record any map, plat,
13 survey, or other documents, within the definition of land surveying, which do not
14 contain an original have impressed thereon, and affixed thereto, the personal signature and
15 original seal of a registered land surveyor by whom, or under whose responsible charge
16 charge, the map, plat, survey, or other documents were prepared. prepared, except as
17 provided in G.S. 47-30(m) and (n)."

18 Sec. 4. This act becomes effective October 1, 1993.