

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 305

Short Title: No Adverse Possess. Against State.

(Public)

Sponsors: Senator Sherron.

Referred to: State Personnel and State Government.

March 27, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT TITLE TO STATE LANDS CANNOT BE
ACQUIRED BY ADVERSE POSSESSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-35 is repealed.

Sec. 2. Chapter 1 of the General Statutes is amended by adding a new section
to read:

"§ 1-45.2. No adverse possession against the State.

Title to real property held by the State may not be acquired by adverse possession.
Provided, however, this section shall not be applied or construed to the detriment of
vested rights, interests, or estates when held by a private individual, firm, or
corporation, acquired against the State prior to the effective date of this section."

Sec. 3. This act is effective upon ratification.