

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**HOUSE BILL 751
Committee Substitute Favorable 4/29/03**

Short Title: Kitty Hawk Land Conveyance.

(Public)

Sponsors:

Referred to:

March 27, 2003

A BILL TO BE ENTITLED

1
2 AN ACT RELATING TO THE TITLE TO EXISTING LAND AND THE LAND
3 BUILT UP AND CONSTRUCTED IN THE TOWN OF KITTY HAWK IN THE
4 COUNTY OF DARE AS A RESULT OF CERTAIN EROSION CONTROL
5 WORK IN SAID TOWN AND ANNEXING A TRACT TO THE CORPORATE
6 LIMITS OF THAT TOWN.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** The following tract of land is hereby granted and conveyed by
9 the State of North Carolina to the Town of Kitty Hawk in fee simple without reservation
10 of any public trust rights:

11 All that certain tract or parcel of land lying and being on the Atlantic Ocean in the
12 Town of Kitty Hawk, Atlantic Township, Dare County, North Carolina, bounded on the
13 North by a parcel of land owned by Vincent R. Mascitti et ux, bounded on the East by
14 the mean lower low water mark of the Atlantic Ocean, bounded on the South by a parcel
15 of land owned by Pelican Perch, L.L.C., and bounded on the West by the East
16 right-of-way margin of North Carolina Highway 12, also known as Virginia Dare Trail,
17 and more particularly described as follows:

18 All that certain tract or parcel of land which now exists or after the completion of the
19 Project will exist within the following boundaries: between the East right-of-way
20 margin of North Carolina Highway 12, otherwise known as Virginia Dare Trail, and the
21 mean lower low water mark of the Atlantic Ocean; and between the North boundary line
22 of that certain lot or parcel lying in the Town of Kitty Hawk, Atlantic Township, Dare
23 County, North Carolina, and known and designated as Lot No. 13 of the Kitty Hawk
24 Beach Terrace Subdivision, as shown and delineated on a map or plat of said
25 subdivision made by J. L. Liverman, Registered Surveyor, dated June, 1946 and
26 recorded in Map Book 1, Page 159, of the Dare County Registry, and as more
27 particularly described in that certain deed from Janet L. Verscharen to Joseph W.
28 Verscharen, dated June 26, 1995, and recorded in Book 1001, Page 892, of the Dare
29 County Registry, and the South boundary line of that certain lot or parcel of land lying

1 in the Town of Kitty Hawk, Atlantic Township, Dare County, North Carolina, and
2 located at 3955 North Virginia Dare Trail, and more particularly described as Tract IV
3 in that certain deed from A. Toby Hedgepeth et ux, to Hedgepeth Enterprises, dated
4 August 10, 1983, recorded in Book 352, Page 854, of the Dare County Registry.

5 **SECTION 2.** The State of North Carolina shall execute and deliver to the
6 Town of Kitty Hawk a deed in recordable form for the property conveyed by Section 1
7 of this act.

8 **SECTION 3.** The corporate limits of the Town of Kitty Hawk are extended
9 to include the tract described in Section 1 of this act.

10 **SECTION 4.** The grant and conveyance in Section 1 of this act includes all
11 future made, constructed, or created land in the tract described in Section 1 of this act.

12 **SECTION 5.** The Town of Kitty Hawk shall maintain the tract described in
13 Section 1 of this act for public use and benefit.

14 **SECTION 6.** This act is effective when it becomes law.