

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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SENATE BILL 140

Short Title: Revise State Nature and Historic Preserve. (Public)

Sponsors: Senators Hise (Primary Sponsor); and Rabin.

Referred to: Rules and Operations of the Senate

March 1, 2017

A BILL TO BE ENTITLED
AN ACT TO ALLOW THE INSTALLATION OF A PUBLIC SAFETY
TELECOMMUNICATIONS FACILITY IN CHIMNEY ROCK STATE PARK.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-260.10 reads as rewritten:

"§ 143-260.10. Components of State Nature and Historic Preserve.

The following are components of the State Nature and Historic Preserve accepted by the North Carolina General Assembly pursuant to G.S. 143-260.8:

...

(21) All lands and waters within the boundaries of Chimney Rock State Park as of ~~May 6, 2014~~, April 4, 2017, with the exception of the following tracts:

a. The portion of that certain tract or parcel of land at Chimney Rock State Park in Rutherford County being a portion of Parcel 2 as described in Deed Book 933, Page 598, containing 346 square feet and being shown as proposed right-of-way for bridge replacement project B-4258 on U.S. 64 over the Broad River on drawing prepared by Kimley-Horn and Associates for the North Carolina Department of Transportation and revised October 26, 2007, and filed with the State Property Office. The portion of that certain tract or parcel of land at Chimney Rock State Park in Polk County, Cooper Gap Township, Deed Book 393, Page 1402, containing 6.5 acres more or less and shown on the survey entitled "Plat of Survey for The State of North Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014, and filed with the State Property Office. The tracts excluded from the State Nature and Historic Preserve under this section are deleted from the State Parks System pursuant to G.S. 143B-135.54. The State of North Carolina may only exchange this land for other land for the expansion of Chimney Rock State Park or sell this land and use the proceeds for that purpose. The State may not otherwise sell or exchange this land.

b. With respect to the communications tower site on Chimney Rock Mountain located on a portion of that certain tract or parcel of land at Chimney Rock State Park in Rutherford County, Chimney Rock Township, described in Deed Book 933, Page 598, the State may provide space at the communications tower site to State public safety, emergency management, local governments in Rutherford County, and public television agencies for the placement of antennas, repeaters, and



1 other communications devices for public communications purposes.
2 State agencies and local governments that are authorized to place
3 communications devices at or near the communications tower site
4 pursuant to this subdivision may also locate at or near the
5 communications tower site communications equipment necessary for
6 the proper operation of the communications devices. The use of the
7 communications tower site pursuant to this subdivision is authorized by
8 the General Assembly as a purpose other than the public purposes
9 specified in Section 5 of Article XIV of the North Carolina Constitution,
10 Article 25B of Chapter 143 of the General Statutes, and Article 2C of
11 Chapter 113 of the General Statutes.

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13 **SECTION 2.** This act is effective when it becomes law.