

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-50
HOUSE BILL 682**

AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-335, as it applies to Harnett County pursuant to S.L. 1997-246, reads as rewritten:

"§ 153A-335. "Subdivision" defined.

For purposes of this Part, "subdivision" means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this Part:

- (1) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision regulations;
- (2) The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for widening or opening streets;
- (4) The division of a tract in single ownership the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision regulations; and
- (5) The A one-time division of land is by any method of transfer among members of a lineal family, which from a grantor to an individual grantee who is a member of the grantor's immediate family, solely for the residential use of the grantee, where the entire area of the land divided is not more than an acre as shown on a recorded map prepared by a registered land surveyor currently licensed by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors. for the purposes of this subdivision, the term "immediate family" shall include direct lineal descendants (children, grandchildren, and great grandchildren) and direct lineal ascendants (father, mother, grandfather, and grandmother) and brothers, sisters, nieces, and nephews only.

SECTION 2. G.S. 160A-376, as it applies to Harnett County municipalities pursuant to S.L. 1997-246, reads as rewritten:

"§ 160A-376. Definition.

For the purpose of this Part, "subdivision" means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the

following shall not be included within this definition nor be subject to the regulations authorized by this Part:

- (1) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision regulations;
- (2) The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for widening or opening streets;
- (4) The division of a tract in single ownership the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision regulations; and
- (5) ~~The~~ A one-time division of land ~~is~~ by any method of transfer ~~among members of a lineal family, which from a grantor to an individual grantee who is a member of the grantor's immediate family, solely for the residential use of the grantee, where the entire area of the land divided is not more than an acre as shown on a recorded map prepared by a registered land surveyor currently licensed by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors. For the purposes of this subdivision, the term "immediate family" shall include direct lineal descendants (children, grandchildren, and great grandchildren) and direct lineal ascendants (father, mother, grandfather, and grandmother) and brothers, sisters, nieces, and nephews only.~~

SECTION 3. Section 1 of this act applies to Harnett County only. Section 2 of this act applies to the municipalities in Harnett County only.

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 7th day of May, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives