GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

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SENATE BILL 1038

Short Title:	Secondary Road Construction Condemnation.	(Public)
Sponsors:	Senator Hoyle.	
Referred to:	Finance.	

April 5, 2001

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD CONSTRUCTION WHEN SIXTY PERCENT OF THE ADJACENT LANDOWNERS AGREE TO PROVIDE NECESSARY RIGHT-OF-WAY FOR THE PROJECT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-44.11 is amended by adding a new subsection to read:

"(c) When, after attempting to negotiate the purchase of right-of-way needed for a proposed secondary road construction or maintenance project and sixty percent (60%) or more of the property owners adjacent to a proposed secondary road construction project have provided or agreed to provide the right-of-way needed for the project, the Department of Transportation shall commence condemnation action to acquire the remaining right-of-way needed for the project and may use the "quick take" procedures in G.S. 136-104 to expedite the project."

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