

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 1211**

Short Title: Nat & Hist Preserve and Park System Removals. (Public)

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Sponsors: Senator Horton.

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Referred to: Agriculture/Environment/Natural Resources.

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June 6, 2002

A BILL TO BE ENTITLED

1  
2 AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A  
3 PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM THE  
4 STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE  
5 PROPERTIES FROM THE STATE PARKS SYSTEM, AND TO AUTHORIZE  
6 THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AS  
7 RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

8 The General Assembly of North Carolina enacts:

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

10 "**§ 143-260.10. Components of State Nature and Historic Preserve.**

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

- 13 (1) All lands and waters within the boundaries of the following units of  
14 the State Parks System as of April 3, 2001: ~~Baldhead Island State~~  
15 ~~Natural Area~~, Bay Tree Lake State Park, ~~Boone's Cave State Natural~~  
16 ~~Area~~, Bullhead Mountain State Natural Area, Carolina Beach State  
17 Park, Cliffs of the Neuse State Park, Chowan Swamp State Natural  
18 Area, Dismal Swamp State Natural Area, Eno River State Park, Fort  
19 Fisher State Recreation Area, Fort Macon State Park, Goose Creek  
20 State Park, Gorges State Park, Hammocks Beach State Park, Hemlock  
21 Bluffs State Natural Area, Jones Lake State Park, Lake James State  
22 Park, Lake Norman State Park, Lake Waccamaw State Park, Lumber  
23 River State Park, Medoc Mountain State Park, Merchants Millpond  
24 State Park, Mitchells Millpond State Natural Area, Mount Jefferson  
25 State Natural Area, Mount Mitchell State Park, Occoneechee  
26 Mountain State Natural Area, Pettigrew State Park, Pilot Mountain  
27 State Park, Raven Rock State Park, Run Hill State Natural Area,  
28 Singletary Lake State Park, Theodore Roosevelt State Natural Area,  
29 and Weymouth Woods-Sandhills Nature Preserve.

- 1 (2) All lands and waters within the boundaries of William B. Umstead  
2 State Park as of April 3, 2001, with the exception of Tract Number 65,  
3 containing 22.93140 acres as shown on a survey prepared by John S.  
4 Lawrence (RLS) and Bennie R. Smith (RLS), entitled "Property of The  
5 State of North Carolina William B. Umstead State Park", dated  
6 January 14, 1977 and filed in the State Property Office, which was  
7 removed from the State Nature and Historic Preserve by Chapter 450,  
8 Section 1 of the 1985 Session Laws. The tract excluded from the State  
9 Nature and Historic Preserve under this subdivision is deleted from the  
10 State Parks System in accordance with G.S. 113-44.14. The State of  
11 North Carolina may only exchange this land for other land for the  
12 expansion of William B. Umstead State Park or sell and use the  
13 proceeds for that purpose. The State of North Carolina may not  
14 otherwise sell or exchange this land.
- 15 (3) Repealed by Session Laws 1999-268, s. 2.
- 16 (4) All lands within the boundaries of Morrow Mountain State Park as of  
17 April 3, 2001, with the exception of the following tract: That certain  
18 tract or parcel of land at Morrow Mountain State Park in Stanly  
19 County, North Albemarle Township, containing 0.303 acres, more or  
20 less, as surveyed and platted by Thomas W. Harris R.L.S., on a map  
21 dated August 27, 1988, and filed in the State Property Office,  
22 reference to which is hereby made for a more complete description.
- 23 (5) Repealed by Session Laws 1999-268, s. 2.
- 24 (6) All land within the boundaries of Crowders Mountain State Park as of  
25 April 3, 2001, with the exception of the following tract: The portion of  
26 that certain tract or parcel of land at Crowders Mountain State Park in  
27 Gaston County, Crowders Mountain Township, described in Deed  
28 Book 1939, page 800, and containing 757.28 square feet and as shown  
29 in a survey by Tanner and McConnaughey, P.A. dated July 22, 1988  
30 and filed in the State Property Office. The tract excluded from the  
31 State Nature and Historic Preserve under this subdivision is deleted  
32 from the State Parks System in accordance with G.S. 113-44.14. The  
33 State of North Carolina may only exchange this land for other land for  
34 the expansion of Crowders Mountain State Park or sell this land and  
35 use the proceeds for that purpose. The State may not otherwise sell or  
36 exchange this land.
- 37 (7) All lands owned in fee simple by the State within the boundaries of  
38 New River State Park as of April 3, 2001.
- 39 (8) All lands and waters within the boundaries of Stone Mountain State  
40 Park as of April 3, 2001, with the exception of the following tracts:  
41 The portion of that certain tract or parcel of land at Stone Mountain  
42 State Park in Wilkes County, Traphill Township, described as parcel  
43 33-02 in Deed Book 633-193, and more particularly described as all of  
44 the land in this parcel lying to the west of the eastern edge of the Air

1 Bellows Road, as shown on the National Park Service Land Status  
2 Map 33 dated March 24, 1981 and filed in the State Property Office,  
3 containing approximately 72 acres; and the portion of that certain tract  
4 or parcel of land at Stone Mountain State Park in Alleghany County,  
5 Cherry Lane Township, described in Deed Book 219, Page 543, and  
6 more particularly described as all of the land in this parcel lying north  
7 of the new division line on the survey by Andrews and Hobson  
8 Surveyors dated August 15, 2000, and entitled "Property Exchange  
9 Agreement for State of North Carolina & the United States of  
10 America", and filed in the State Property Office. The tracts excluded  
11 from the State Nature and Historic Preserve under this subdivision are  
12 deleted from the State Parks System in accordance with G.S.  
13 113-44.14.

14 (9) All lands and waters located within the boundaries of the following  
15 State Historic Sites as of April 3, 2001: Alamance Battleground,  
16 Charles B. Aycock Birthplace, Historic Bath, Bennett Place,  
17 Bentonville Battleground, Brunswick Town/Fort Anderson, C.S.S.  
18 Neuse and Governor Caswell Memorial, Charlotte Hawkins Brown  
19 Memorial, Duke Homestead, Historic Edenton, Fort Dobbs, Fort  
20 Fisher, Historic Halifax, Horne Creek Living Historical Farm, House  
21 in the Horseshoe, North Carolina Transportation Museum, James K.  
22 Polk Memorial, Reed Gold Mine, Somerset Place, Stagville, State  
23 Capitol, Town Creek Indian Mound, Tryon Palace Historic Sites &  
24 Gardens, Zebulon B. Vance Birthplace, and Thomas Wolfe Memorial.

25 (10), (11) Repealed by Session Laws 2001-217, s. 2, effective June 15,  
26 2001.

27 (12) All lands and waters located within the boundaries of Hanging Rock  
28 State Park as of April 3, 2001, with the exception of the following  
29 tract: The portion of that tract or property at Hanging Rock State Park  
30 in Stokes County, Danbury Township, described in Deed Book 360,  
31 Page 160, for a 30-foot wide right-of-way beginning approximately  
32 183 feet south of SR 1001 and extending in a southerly direction  
33 approximately 1,479 feet to the southwest corner of the Bobby Joe  
34 Lankford tract and more particularly shown on a survey entitled, "J.  
35 Spot Taylor Heirs Survey, Danbury Township, Stokes County, N.C.",  
36 by Grinski Surveying Company, dated June 1985, and filed in the  
37 State Property Office. The tract excluded from the State Nature and  
38 Historic Preserve under this subdivision is deleted from the State Parks  
39 System in accordance with G.S. 113-44.14.

40 (13) All lands and waters located within the boundaries of South Mountains  
41 State Park as of April 3, 2001, with the exception of the following  
42 tracts: The portion of that tract or property at South Mountains State  
43 Park in Burke County, Lower Creek Township, described in Deed  
44 Book 862, Page 1471, required for the right-of-way and easements for

1 the relocation of SR 1904 within the park and lying generally between  
2 the Rutherford Electric Membership Corporation right-of-way and the  
3 southern property boundary of the park, as described in the drawing  
4 entitled "Survey for State of North Carolina", dated January 28, 1999,  
5 prepared by Suttles Surveying, P.A., bearing the preparer's file name  
6 12455.dwg and filed in the State Property Office; and the portions of  
7 land at South Mountains State Park that lie south of the centerline of  
8 the CCC road as shown on the drawing entitled "Land Trade between  
9 South Mountains State Park and Adjacent Game Lands along CCC  
10 Road" prepared by the Division of Parks and Recreation, dated March  
11 15, 1999, and filed in the State Property Office and that lie within: (i)  
12 the tract or property in Burke County, Lower Fork Township,  
13 described in Deed Book 495, Page 501; (ii) the tract or property in  
14 Burke County, Lower Fork and Upper Fork Townships, described in  
15 Deed Book 715, Page 719; or, (iii) within the tracts or property in  
16 Burke County, Upper Fork Township, described in Deed Book 860,  
17 Page 341, and Deed Book 884, Page 1640. The tracts excluded from  
18 the State Nature and Historic Preserve under this subdivision are  
19 deleted from the State Parks System in accordance with G.S.  
20 113-44.14. The State of North Carolina may only exchange this land  
21 for other land for the expansion of South Mountains State Park or sell  
22 this land and use the proceeds for that purpose. The State may not  
23 otherwise sell or exchange this land.

24 (14) All lands and waters within the boundaries of Bushy Lake State  
25 Natural Area as of April 3, 2001, with the exception of the following  
26 tract: The portion of that certain tract or parcel of land at Bushy Lake  
27 State Natural Area in Cumberland County, Beaver Dam Township,  
28 described in Deed Book 3588, Page 583, and shown as the 0.58 acre  
29 parcel within tract 2 on the survey prepared by Lewis G. Paschal,  
30 Professional Land Surveyor, entitled "Recombination Survey for State  
31 of North Carolina" dated April 1989 and December 2000, and filed in  
32 the State Property Office. The tract excluded from the State Nature and  
33 Historic Preserve under this subdivision is deleted from the State Parks  
34 System pursuant to G.S. 113-44.14. The State of North Carolina may  
35 only exchange this land for other land for the expansion of Bushy Lake  
36 State Natural Area or sell this land and use the proceeds for that  
37 purpose. The State may not otherwise sell or exchange this land.

38 (15) All lands and waters within the boundaries of Jockey's Ridge State  
39 Park as of April 3, 2001, with the exception of the following tracts:  
40 The portion of those certain tracts or parcels of land at Jockey's Ridge  
41 State Park in Dare County, Nags Head Township, described in Deed  
42 Book 227, Page 499, and Deed Book 227, Page 501, and containing  
43 33,901 square feet as shown on the survey prepared by Styons  
44 Surveying Services entitled "Raw Water Well Site 13 Jockey's Ridge

1 State Park" dated March 7, 2001, and filed in the State Property  
2 Office; the portion of that certain tract or parcel of land at Jockey's  
3 Ridge State Park in Dare County, Nags Head Township, described in  
4 Deed Book 222, Page 726, and containing 42,909 square feet as shown  
5 on the survey prepared by Styons Surveying Services entitled "Raw  
6 Water Well Site 14 Jockey's Ridge State Park" dated March 7, 2001,  
7 and filed in the State Property Office; and the portion of that certain  
8 tract or parcel of land at Jockey's Ridge State Park in Dare County,  
9 Nags Head Township, described in Deed Book 224, Page 790, and  
10 Deed Book 224, Page 794, and containing 34,471 square feet as shown  
11 on the survey prepared by Styons Surveying Services entitled "Raw  
12 Water Well Site 15 Jockey's Ridge State Park" dated March 7, 2001,  
13 and filed in the State Property Office.

14 (16) All the lands and waters located within the boundaries of Baldhead  
15 Island State Natural Area as of April 3, 2001, with the exception of the  
16 following tract: The southern one-quarter of the appurtenant easement  
17 on that certain tract or parcel of property at Baldhead Island State  
18 Natural Area in Brunswick County, Smithville Township, described in  
19 Deed Book 401, Page 602. The tract excluded from the State Nature  
20 and Historic Preserve under this subdivision is deleted from the State  
21 Parks System pursuant to G.S. 113-44.14. The State of North Carolina  
22 may only exchange this land for other land for the expansion of  
23 Baldhead Island State Natural Area or sell this land and use the  
24 proceeds for that purpose. The State may not otherwise sell or  
25 exchange this land."

26 **SECTION 2.** Boone's Cave State Natural Area is deleted from the State  
27 Parks System pursuant to G.S. 113-44.14. The State may transfer this property to  
28 Davidson County for management as a park. The State may not otherwise sell or  
29 exchange the property.

30 **SECTION 3.** This act is effective when it becomes law.