

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 545
House Committee Substitute Favorable 6/21/17

Short Title: State Nature and Historic Preserve Adds/Dels.

(Public)

Sponsors:

Referred to:

April 3, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE INSTALLATION OF A PUBLIC SAFETY
3 TELECOMMUNICATIONS FACILITY IN CHIMNEY ROCK STATE PARK, TO
4 ACCEPT CERTAIN OTHER PROPERTIES AS PART OF THE STATE NATURE AND
5 HISTORIC PRESERVE, AND TO REMOVE CERTAIN LANDS FROM THE STATE
6 NATURE AND HISTORIC PRESERVE.

7 Whereas, Section 5 of Article XIV of the North Carolina Constitution authorizes the
8 dedication of State and local government properties as part of the State Nature and Historic
9 Preserve upon acceptance by a law enacted by a three-fifths vote of the members of each house
10 of the General Assembly and provides for removal of properties from the State Nature and
11 Historic Preserve by a law enacted by a three-fifths vote of the members of each chamber of the
12 General Assembly; and

13 Whereas, the General Assembly enacted the State Nature and Historic Preserve
14 Dedication Act, Chapter 443 of the 1973 Session Laws, to prescribe the conditions and
15 procedures under which properties may be specifically dedicated for the purposes set out in
16 Section 5 of Article XIV of the North Carolina Constitution; and

17 Whereas, more than 7,900 acres have been added to the State Parks System since
18 the last dedication and acceptance of properties as part of the State Nature and Historic
19 Preserve pursuant to a petition to the Council of State dated May 6, 2014; and

20 Whereas, in accordance with G.S. 143-260.8, on May 2, 2017, the Council of State
21 is scheduled to vote on a petition to the General Assembly to enact a law pursuant to Section 5
22 of Article XIV of the North Carolina Constitution to dedicate and accept properties added to
23 the State Parks System and designated in the petition for inclusion as parts of the State Nature
24 and Historic Preserve; and

25 Whereas, as a part of its petition of May 2, 2017, the Council of State is also slated
26 to request that the General Assembly remove certain properties from the State Nature and
27 Historic Preserve; and

28 Whereas, G.S. 143B-135.54 provides for additions to, and deletions from, the State
29 Parks System upon authorization by the General Assembly; Now, therefore,
30 The General Assembly of North Carolina enacts:

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

32 "**§ 143-260.10. Components of State Nature and Historic Preserve.**

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

- 35 (1) All lands and waters within the boundaries of the following units of the State
36 Parks System as of ~~May 6, 2014~~; May 2, 2017: Baldhead Island State



* S 5 4 5 - V - 2 *

1 Natural Area, Bay Tree Lake State ~~Park~~, Natural Area, Bear Paw State
2 Natural Area, Beech Creek Bog State Natural Area, Bullhead Mountain
3 State Natural Area, Bushy Lake State Natural Area, Carolina Beach State
4 Park, Carvers Creek State Park, Cliffs of the Neuse State Park, Chowan
5 Swamp State Natural Area, Deep River State Trail, Dismal Swamp State
6 Park, Elk Knob State Park, Fort Fisher State Recreation Area, Fort Macon
7 State Park, Goose Creek State Park, Grandfather Mountain State Park, Haw
8 River State Park, Hammocks Beach State Park, Jones Lake State Park, Lake
9 Norman State Park, Lea Island State Natural Area, Mayo River State Park,
10 Medoc Mountain State Park, Merchants Millpond State Park, Mount
11 Mitchell State Park, Occoneechee Mountain State Natural Area, Pettigrew
12 State Park, Pilot Mountain State Park, Pineola Bog State Natural Area,
13 Raven Rock State Park, Run Hill State Natural Area, Sandy Run Savannas
14 State Natural Area, Singletary Lake State Park, Sugar Mountain State
15 Natural Area, Theodore Roosevelt State Natural Area, Weymouth
16 Woods-Sandhills State Natural Area, and Yellow Mountain State Natural
17 Area.

18 (2) All lands and waters within the boundaries of William B. Umstead State
19 Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of Tract Number
20 65, containing 22.93140 acres as shown on a survey prepared by John S.
21 Lawrence (RLS) and Bennie R. Smith (RLS), entitled "Property of The State
22 of North Carolina William B. Umstead State Park", dated January 14, 1977
23 and filed in the State Property Office, which was removed from the State
24 Nature and Historic Preserve by Chapter 450, Section 1 of the 1985 Session
25 Laws. The tract excluded from the State Nature and Historic Preserve under
26 this subdivision is deleted from the State Parks System in accordance with
27 G.S. 143B-135.54. The State of North Carolina may only exchange this land
28 for other land for the expansion of William B. Umstead State Park or sell
29 and use the proceeds for that purpose. The State of North Carolina may not
30 otherwise sell or exchange this land.

31 (3) Repealed by Session Laws 1999-268, s. 2.

32 (4) All lands within the boundaries of Morrow Mountain State Park as of ~~May 6,~~
33 ~~2014~~, May 2, 2017, with the exception of the following tract: That certain
34 tract or parcel of land at Morrow Mountain State Park in Stanly County,
35 North Albemarle Township, containing 0.303 acres, more or less, as
36 surveyed and platted by Thomas W. Harris R.L.S., on a map dated August
37 27, 1988, and filed in the State Property Office, reference to which is hereby
38 made for a more complete description.

39 (5) Repealed by Session Laws 1999-268, s. 2.

40 (6) All land within the boundaries of Crowders Mountain State Park as of ~~May~~
41 ~~6, 2014~~, May 2, 2017, with the exception of the following tracts. The tracts
42 excluded from the State Nature and Historic Preserve under this subdivision
43 are deleted from the State Parks System in accordance with
44 G.S. 143B-135.54. The State of North Carolina may only exchange this land
45 for other land for the expansion of Crowders Mountain State Park or sell this
46 land and use the proceeds for that purpose. The State may not otherwise sell
47 or exchange this land.

48 a. The portion of that certain tract or parcel of land at Crowders
49 Mountain State Park in Gaston County, Crowders Mountain
50 Township, described in Deed Book 1939, page 800, and containing
51 757.28 square feet and as shown in a survey by Tanner and

- 1 McConnaughey, P.A. dated July 22, 1988 and filed in the State
2 Property Office.
- 3 b. The portion of that certain tract or parcel of land at Crowders
4 Mountain State Park in Gaston County, east of and including the
5 right-of-way along and across Old Peach Orchard Road, as shown in
6 a survey by the City of Gastonia, File No. 400-194, dated November
7 23, 1998, and filed in the State Property Office.
- 8 c. The portion of that certain tract or parcel of land at Crowders
9 Mountain State Park in Cleveland County, described in Deed Book
10 1286, Page No. 85, located on the north side of SR 2245 (Bethlehem
11 Road) and containing 14,964 square feet as shown on the survey
12 entitled "Survey for Crowders Mountain State Park, Deed Book
13 1103-107, Township 4 Kings Mountain, Cleveland County, N.C." by
14 David W. Dickson, P.A. dated February 28, 2008.
- 15 d. The portion of that certain tract or parcel of land at Crowders
16 Mountain State Park in Cleveland County, described in Deed Book
17 1286, Page 85, and containing 0.06 acres and 0.515 acres as shown
18 on the survey entitled "Boundary Survey for the State of N.C.
19 Department of Administration, Township No. Four Cleveland
20 County, N.C." by Carolinas Design Group, PLLC, dated November
21 6, 2007.
- 22 e. The portion of that certain tract or parcel of land at Crowders
23 Mountain State Park in Gaston County, described in Deed Book
24 2829, page 518, and containing 0.15 acres as shown on the survey
25 entitled "Survey Made at Request of Larry Hyde, Park
26 Superintendent, Crowders Mountain State Park" by Gray Surveying
27 Co., Inc., dated September 12, 2012.
- 28 (7) All lands owned in fee simple by the State within the boundaries of New
29 River State Park as of ~~May 6, 2014~~May 2, 2017, with the exception of the
30 following tracts: The portion of that certain tract or parcel of land at New
31 River State Park in Ashe County, Chestnut Hill Township, described in
32 Deed Book 432, Page 724, and containing 44,033 square feet as shown on
33 the survey prepared by Thomas Herman Company, PLLC and entitled
34 "Survey for State of North Carolina, Division of Parks and Recreation;
35 Harold Davis; and Joe Davis" dated March 24, 2017, and on file with the
36 State Property Office.
- 37 (8) All lands and waters within the boundaries of Stone Mountain State Park as
38 of ~~May 6, 2014~~May 2, 2017, with the exception of the following tracts: The
39 portion of that certain tract or parcel of land at Stone Mountain State Park in
40 Wilkes County, Traphill Township, described as parcel 33-02 in Deed Book
41 633-193, and more particularly described as all of the land in this parcel
42 lying to the west of the eastern edge of the Air Bellows Road, as shown on
43 the National Park Service Land Status Map 33 dated March 24, 1981 and
44 filed in the State Property Office, containing approximately 72 acres. The
45 tract excluded from the State Nature and Historic Preserve under this
46 subdivision is deleted from the State Parks System in accordance with
47 G.S. 143B-135.54.
- 48 (9) All lands and waters located within the boundaries of the following State
49 Historic Sites as of ~~May 6, 2014~~May 2, 2017: Alamance Battleground,
50 Charles B. Aycock Birthplace, Historic Bath, Bennett Place, Bentonville
51 Battleground, Brunswick Town/Fort Anderson, C.S.S. Neuse and Governor

1 Caswell Memorial, Charlotte Hawkins Brown Memorial, Duke Homestead,
2 Historic Edenton, Fort Dobbs, Fort Fisher, Historic Halifax, Horne Creek
3 Living Historical Farm, House in the Horseshoe, North Carolina
4 Transportation Museum, President James K. Polk Memorial, Polk, Reed
5 Gold Mine, Somerset Place, Historic Stagville, State Capitol, Town Creek
6 Indian Mound, Tryon Palace Historic Sites & Gardens, Zebulon B. Vance
7 Birthplace, Endor Iron Furnace, and Thomas Wolfe Memorial.

8 (10), (11) Repealed by Session Laws 2001-217, s. 2, effective June 15, 2001.

9 (12) All lands and waters located within the boundaries of Hanging Rock State
10 Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following
11 tract: The portion of that tract or property at Hanging Rock State Park in
12 Stokes County, Danbury Township, described in Deed Book 360, Page 160,
13 for a 30-foot wide right-of-way beginning approximately 183 feet south of
14 SR 1001 and extending in a southerly direction approximately 1,479 feet to
15 the southwest corner of the Bobby Joe Lankford tract and more particularly
16 shown on a survey entitled, "J. Spot Taylor Heirs Survey, Danbury
17 Township, Stokes County, N.C.", by Grinski Surveying Company, dated
18 June 1985, and filed in the State Property Office. The tract excluded from
19 the State Nature and Historic Preserve under this subdivision is deleted from
20 the State Parks System in accordance with G.S. 143B-135.54.

21 (13) All lands and waters located within the boundaries of South Mountains State
22 Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following
23 tracts. The tracts excluded from the State Nature and Historic Preserve under
24 this subdivision are deleted from the State Parks System in accordance with
25 G.S. 143B-135.54.

26 a. b. Repealed by Session Laws 2007-307, s. 1, effective July 28, 2007.

27 c. The portions of land at South Mountains State Park that lie south of
28 the centerline of the CCC road as shown on the drawing entitled
29 "Land Trade between South Mountains State Park and Adjacent
30 Game Lands along CCC Road" prepared by the Wildlife Resources
31 Commission in January 2013 and filed in the State Property Office
32 and that lie within: (i) the tract or property in Burke County, Lower
33 Fork Township, described in Deed Book 495, Page 501; (ii) the tract
34 or property in Burke County, Lower Fork and Upper Fork
35 Townships, described in Deed Book 715, Page 719; (iii) within the
36 tracts or property in Burke County, Upper Fork Township, described
37 in Deed Book 860, Page 341, and Deed Book 884, Page 1640; (iv)
38 within that tract or property in Burke County, Silver Creek
39 Township, described in Deed Book 1847, Page 287; (v) within that
40 tract or property in Burke County, Upper Creek Township, described
41 in Deed Book 882, Page 2347; (vi) within that tract or property in
42 Burke County, Upper Creek Township, described in Deed Book 882,
43 Page 2352; (vii) within that tract or property in Burke County, Upper
44 Fork Township, described in Deed Book 886, Page 1964; (viii)
45 within that tract or property in Burke County, Upper Fork Township,
46 Deed Book 767, Page 1360; (ix) within that tract or property in
47 Burke County, Upper Fork Township, Deed Book 884, Page 1648; or
48 (x) within that tract or property in Burke County, Upper Fork
49 Township, Book 886, Page 2228. The State of North Carolina may
50 only exchange this land for other land for the expansion of South

- 1 Mountains State Park or sell this land and use the proceeds for that
2 purpose. The State may not otherwise sell or exchange this land.
- 3 d. Repealed by Session Laws 2007-307, s. 1, effective July 28, 2007.
- 4 (14) Repealed by Session Laws 2003-234, s. 1, effective June 19, 2003.
- 5 (15) All lands and waters within the boundaries of Jockey's Ridge State Park as
6 of ~~May 6, 2014~~, May 2, 2017, with the exception of the following tracts: The
7 portion of those certain tracts or parcels of land at Jockey's Ridge State Park
8 in Dare County, Nags Head Township, described in Deed Book 227, Page
9 499, and Deed Book 227, Page 501, and containing 33,901 square feet as
10 shown on the survey prepared by Styons Surveying Services entitled "Raw
11 Water Well Site 13 Jockey's Ridge State Park" dated March 7, 2001, and
12 filed in the State Property Office; the portion of that certain tract or parcel of
13 land at Jockey's Ridge State Park in Dare County, Nags Head Township,
14 described in Deed Book 222, Page 726, and containing 42,909 square feet as
15 shown on the survey prepared by Styons Surveying Services entitled "Raw
16 Water Well Site 14 Jockey's Ridge State Park" dated March 7, 2001, and
17 filed in the State Property Office; ~~and~~ the portion of that certain tract or
18 parcel of land at Jockey's Ridge State Park in Dare County, Nags Head
19 Township, described in Deed Book 224, Page 790, and Deed Book 224,
20 Page 794, and containing 34,471 square feet as shown on the survey
21 prepared by Styons Surveying Services entitled "Raw Water Well Site 15
22 Jockey's Ridge State Park" dated March 7, 2001, and filed in the State
23 Property Office; and the portion of those certain tracts or parcels of land at
24 Jockey's Ridge State Park in Dare County, Nags Head Township, described
25 in Deed Book 227, Page 501, and Deed Book 230, Page 525, and containing
26 12,655 square feet as shown on the preliminary plat entitled "Easement
27 Survey for Town of Nags Head" prepared by Seaboard Surveying &
28 Planning, Inc., dated August 29, 2012.
- 29 (16) All lands and waters located within the boundaries of Mount Jefferson State
30 Natural Area as of ~~May 6, 2014~~, May 2, 2017. With respect to the
31 communications tower site on the top of Mount Jefferson and located on that
32 certain tract or parcel of land at Mount Jefferson State Natural Area in Ashe
33 County, West Jefferson Township, described in Deed Book F-3, Page 94, the
34 State may provide space at the communications tower site to State public
35 safety and emergency management agencies for the placement of antennas,
36 repeaters, and other communications devices for public communications
37 purposes. ~~Notwithstanding~~ In conformance with G.S. 146-29.2, the State
38 may lease space at the communications tower site to local governments in
39 Ashe County for the placement of antennas, repeaters, and other
40 communications devices for public communications purposes. State agencies
41 and local governments that are authorized to place communications devices
42 at the communications tower site pursuant to this subdivision may also
43 locate at or near the communications tower site communications equipment
44 that is necessary for the proper operation of the communications devices.
45 The use of the communications tower site pursuant to this subdivision is
46 authorized by the General Assembly as a purpose other than the public
47 purposes specified in Article XIV, Section 5, of the North Carolina
48 Constitution, Article 25B of Chapter 143 of the General Statutes, and Part 32
49 of Article 7 [Article 2] of Chapter 143B of the General Statutes.
- 50 (17) All lands and waters within the Eno River State Park as of ~~May 6, 2014~~,
51 May 2, 2017, with the exception of the following tracts:

- 1 a. The portion of that certain tract or parcel of land at Eno River State
2 Park in Durham County, Durham Outside Township, described in
3 Deed Book 435, Page 673, and Plat Book 87, Page 66, containing
4 11,000 square feet and being the portion of Lot No. 2 shown as the
5 existing scenic easement hereby removed on the drawing prepared by
6 Sear-Brown entitled "Recombination Plat Eno Forest Subdivision"
7 bearing the preparer's file name 00-208-07.dwg, and filed with State
8 Property Office. The tract excluded from the State Nature and
9 Historic Preserve under this subdivision is deleted from the State
10 Parks System pursuant to G.S. 143B-135.54. The State of North
11 Carolina may only exchange this land for other land for the
12 expansion of Eno River State Park or sell this land and use the
13 proceeds for that purpose. The State may not otherwise sell or
14 exchange this land.
- 15 b. The portion of that certain tract or parcel of land at Eno River State
16 Park in Orange County, described in Deed Book 3878, Page 461, and
17 Plat Book 98, Page 11, containing 5,313 square feet and required for
18 the permanent easements for bridge replacement project B-4216 on
19 SR 1002 (St. Mary's Road), as shown in the drawing entitled
20 "Preliminary Plans, Project Reference No. B-4216" prepared for
21 North Carolina Department of Transportation by Mulkey Engineers
22 and Consultants dated March 10, 2009, and filed with the State
23 Property Office. The tracts excluded from the State Nature and
24 Historic Preserve under this section are deleted from the State Parks
25 System pursuant to G.S. 143B-135.54. The State of North Carolina
26 may only exchange this land for other land for the expansion of Eno
27 River State Park or sell this land and use the proceeds for that
28 purpose. The State may not otherwise sell or exchange this land.
- 29 (18) All land and waters within the boundaries of Hemlock Bluffs State Natural
30 Area as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following
31 tracts: The portion of that certain tract or parcel of land at Hemlock Bluffs
32 State Natural Area in Wake County, Swift Creek Township, described in
33 Deed Book 2461, Page 037, containing 2,025 square feet and being the
34 portion of this tract shown as proposed R/W on the drawing prepared by
35 Titan Atlantic Group entitled "Right of Way Acquisition Map for Town of
36 Cary Widening of Kildaire Farm Road (SR 1300) from Autumgate Drive to
37 Palace Green" sheet 1 of 3 bearing the preparer's file name Town of Cary
38 Case File No. TOC 01-37, dated 26 September 2003, and filed with the State
39 Property Office; and the portion of those certain tracts or parcels of land at
40 Hemlock Bluffs State Natural Area in Wake County, Swift Creek Township,
41 described in Deed Book 4670, Page 420, containing 24,092 square feet and
42 being the portion of these tracts shown as proposed R/W on the drawing
43 prepared by Titan Atlantic Group entitled "Right of Way Acquisition Map
44 for Town of Cary Widening of Kildaire Farm Road (SR 1300) from
45 Autumgate Drive to Palace Green" sheet 3 of 3 bearing the preparer's file
46 name Town of Cary Case File No. TOC 01-37, dated 26 September 2003,
47 and filed with the State Property Office. The tracts excluded from the State
48 Nature and Historic Preserve under this subdivision are deleted from the
49 State Parks System pursuant to G.S. 143B-135.54. The State of North
50 Carolina may only exchange this land for other land for the expansion of

- 1 Hemlock Bluffs State Natural Area or sell this land and use the proceeds for
2 that purpose. The State may not otherwise sell or exchange this land.
- 3 (19) All lands and waters within the boundaries of Lake James State Park as of
4 ~~May 6, 2014, May 2, 2017~~, with the exception of the following tracts:
- 5 a. The portion of that certain tract or parcel of land at Lake James State
6 Park containing 13.85 acres, and being 100 feet to the east and 150
7 feet to the west of a centerline shown on a survey by Witherspoon
8 Surveying PLLC, dated February 9, 2007, and filed in the State
9 Property Office. The State of North Carolina may grant a temporary
10 easement to Duke Energy Corporation across this tract to facilitate
11 the Catawba Dam Embankment Seismic Stability Improvements
12 Project. The grant of the easement within Lake James State Park to
13 Duke Energy Corporation under this sub-subdivision constitutes
14 authorization by the General Assembly that the described tract of
15 land may be used for a purpose other than the public purposes
16 specified in Article XIV, Section 5, of the North Carolina
17 Constitution, Article 25B of Chapter 143 of the General Statutes, and
18 Part 32 of Article 7 [Article 2] of Chapter 143B of the General
19 Statutes. The State of North Carolina may use the proceeds from the
20 easement only for the expansion or improvement of Lake James State
21 Park or another State park. The State may not otherwise sell or
22 exchange this land.
- 23 b. The portion of that certain tract or parcel of land at Lake James State
24 Park in McDowell County, Nebo Township, described in Deed Book
25 377, Page 423, and also shown as Tract B on the plat of survey
26 prepared by Kenneth D. Suttles, RLS, dated December 4, 1987,
27 entitled "Lake James State Park," Sheet 1 of 2, recorded in Plat Book
28 4, Page 275 of the McDowell County Registry, for a 40-foot
29 right-of-way beginning at the southwest corner of Tract B and
30 continuing along the southern boundary 86 38' 51" E for 400 feet to
31 the now or former John D. Walker property. The State of North
32 Carolina may grant an easement across this tract to extinguish
33 prescriptive easements on Tract B to improve management of the
34 State park property. The State may not otherwise sell or exchange
35 this land. The easement excluded from the State Nature and Historic
36 Preserve under this subdivision is deleted from the State Parks
37 System pursuant to G.S. 143B-135.54.
- 38 c. That portion of that certain tract or parcel of land at Lake James State
39 Park in Burke County, Linville Township, described in Deed Book
40 1431, Page 859, and shown on the survey prepared by Suttles
41 Surveying, PA dated May 2, 2014, entitled "Survey for State of
42 North Carolina," containing 3.41 acres and on file with the State
43 Property Office. The tracts excluded from the State Nature and
44 Historic Preserve under this subdivision are deleted from the State
45 Parks System in accordance with G.S. 143B-135.54. The State of
46 North Carolina may only exchange this land for other land for the
47 expansion of Lake James State Park or sell this land and use the
48 proceeds for that purpose. The State may not otherwise sell or
49 exchange this land.
- 50 (20) All lands and waters within the boundaries of Lake Waccamaw State Park as
51 of ~~May 6, 2014, May 2, 2017~~, with the exception of the following tracts: The

1 portions of that certain tract or parcel of land at Lake Waccamaw State Park
2 in Columbus County described in Deed Book 835, Page 590, containing
3 48,210 square feet and being the portion of this tract shown as new R/W and
4 permanent utility easement on drawing prepared by State of North Carolina
5 Department of Transportation entitled "Map of Proposed Right of Way
6 Property of State of North Carolina (Parks and Recreation) Columbus
7 County" for Tip B-3830 on SR 1947 (Bella Coola Road) done by John E.
8 Kaukola, PLS No. 3999 and compiled 1-18-2008, and filed with the State
9 Property Office. The tracts excluded from the State Nature and Historic
10 Preserve under this section are deleted from the State Parks System pursuant
11 to G.S. 143B-135.54. The State of North Carolina may only exchange this
12 land for other land for the expansion of Lake Waccamaw State Park or sell
13 this land and use the proceeds for that purpose. The State may not otherwise
14 sell or exchange this land.

15 (21) All lands and waters within the boundaries of Chimney Rock State Park as
16 of ~~May 6, 2014, May 2, 2017,~~ with the exception of the following tracts:

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

36 b. With respect to the communications tower site on Chimney Rock
37 Mountain located on a portion of that certain tract or parcel of land at
38 Chimney Rock State Park in Rutherford County, Chimney Rock
39 Township, described in Deed Book 933, Page 598, the State may
40 provide space at the communications tower site to State public
41 safety, emergency management, local governments in Rutherford
42 County, and public television agencies for the placement of antennas,
43 repeaters, and other communications devices for public
44 communications purposes. State agencies and local governments that
45 are authorized to place communications devices at or near the
46 communications tower site pursuant to this subdivision may also
47 locate at or near the communications tower site communications
48 equipment necessary for the proper operation of the communications
49 devices. The use of the communications tower site pursuant to this
50 subdivision is authorized by the General Assembly as a purpose other
51 than the public purposes specified in Section 5 of Article XIV of the

North Carolina Constitution, Article 25B of Chapter 143 of the
General Statutes, and Article 2 of Chapter 143B of the General
Statutes.

(22) All State-owned land and waters within the boundaries of the Mountains-to-Sea Trail as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following tract: The portion of that certain tract or parcel in Johnston County described in Deed Book 3634, Page 278, containing 4.72 acres and being described as proposed easement area for Piedmont Natural Gas Company transmission line on drawing entitled "Easement Survey Prepared for Piedmont Natural Gas Company, Line 142, Easement to be Acquired from the State of North Carolina" by McKim & Creed and dated July 31, 2008, and revised March 11, 2009. The State of North Carolina may grant an easement to Piedmont Natural Gas Company across this tract to facilitate the transmission of natural gas. The grant of the easement within the Mountains-to-Sea Trail to Piedmont Natural Gas Company under this section constitutes authorization by the General Assembly that the described tract of land may be used for a purpose other than the public purposes specified in Section 5 of Article XIV of the North Carolina Constitution, Article 25B of Chapter 143 of the General Statutes, and Part 32 of Article 7 [Article 2] of Chapter 143B of the General Statutes. The State of North Carolina may use the proceeds from the easement only for the expansion or improvement of the Mountains-to-Sea Trail or another State park. The State may not otherwise sell or exchange this land.

(23) All State-owned land and waters within the boundaries of Gorges State Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following tracts: The portions of that certain tract or parcel of land in Transylvania County, described in Deed Book 267, Page 838, containing a total of 7.26 acres for the North Carolina Department of Transportation project TIP R-2409C US 64 Safety Improvements. As shown on right-of-way drawing from the North Carolina Department of Transportation dated May 22, 2014, for TIP R-2409C, Parcel 002, on file with the State Property Office. The tract excluded from the State Nature and Historic Preserve under this subdivision is deleted from the State Parks System in accordance with G.S. 143B-135.54. The State of North Carolina may only exchange this land for other land for the expansion of Gorges State Park or sell this land and use the proceeds for that purpose. The State may not otherwise sell or exchange this land.

(24) All State-owned land and waters within the boundaries of Lower Haw State Natural Area as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following tract: the portion of that certain tract or parcels in Chatham County, described in Deed Book 1319, Page 1047, containing 12,501 square feet and shown on a survey entitled "Recombination Survey for the North Carolina Division of Parks and Recreation and PK Ventures I LTD Partnership" prepared by S.D. Puckett and Associates dated April 22, 2014, and on file with the State Property Office. The tract excluded from the State Nature and Historic Preserve under this subdivision is deleted from the State Parks System in accordance with G.S. 143B-135.54. The State of North Carolina may only exchange this land for other land for the expansion of Lower Haw State Natural Area or sell this land and use the proceeds for that purpose. The State may not otherwise sell or exchange this land.

1 (25) All State-owned land and waters within the boundaries of Lumber River
2 State Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of the
3 following tracts:

4 a. The portions of those certain tracts or parcels of land in Robeson
5 County, described in Deed Book 919, Page 862, Deed Book 1097,
6 Page 837, Deed Book 935, Page 170, Deed Book 1125, Page 562,
7 and Deed Book 1117, Page 680, containing a total of 3.39 acres for
8 the North Carolina Department of Transportation secondary road
9 project 6C.078030 SR 2245 (VC Britt Road) and shown on the
10 survey entitled "Survey of Tracts 1A and 1B, VC Britt Rd, Orrum
11 NC" prepared by the North Carolina Department of Transportation.
12 The tracts excluded from the State Nature and Historic Preserve
13 under this subdivision are deleted from the State Parks System in
14 accordance with G.S. 143B-135.54. The State of North Carolina may
15 only exchange this land for other land for the expansion of Lumber
16 River State Park or sell this land and use the proceeds for that
17 purpose. The State may not otherwise sell or exchange this land.

18 b. The portions of that certain tract or parcel of property at Lumber
19 River State Park in Robeson County, described in Deed Book 575,
20 Page 523, and containing approximately 1.08 acre (Tract A) and 0.12
21 acre (Tract C) as shown in a survey by Jerry W. Lee entitled "Survey
22 for State of North Carolina" dated June 28, 2016. The land described
23 in this sub-subdivision is deleted from the State Park System in
24 accordance with G.S. 143B-135.54. The State of North Carolina may
25 only exchange this land for other land for the expansion of Lumber
26 River State Park or sell this land and use the proceeds for that
27 purpose. The State may not otherwise sell or exchange this land.

28 c. The portion of those certain tracts or parcels of land at Lumber River
29 State Park in Robeson County, Pembroke Township, described in
30 Deed Book 575, Page 523 and Deed Book 931, Page 415 and
31 containing a total of approximately 2.12 acres as shown in surveys
32 prepared by McKim and Creed and labeled Drawing Number
33 2017-041 and 2017-042 dated April 24, 2017, and on file with the
34 State Property Office.

35 (26) All State-owned land and waters within the boundaries of Mitchells
36 Millpond State Natural Area as of ~~May 6, 2014~~, May 2, 2017, with the
37 exception of the following tract: the portions of that certain tract or parcel in
38 Wake County, described in Deed Book 2445, Page 62, containing
39 approximately 0.215 acres as shown on the right-of-way plan for SR 2224
40 (Mitchell Mill Road) bridge No. 162 replacement project and on file with the
41 State Property Office. The tract excluded from the State Nature and Historic
42 Preserve under this subdivision is deleted from the State Parks System in
43 accordance with G.S. 143B-135.54. The State of North Carolina may only
44 exchange this land for other land for the expansion of the State Parks system
45 or sell this land and use the proceeds for that purpose. The State may not
46 otherwise sell or exchange this land.

47 (27) All lands and waters within the boundaries of Carvers Creek State Park as of
48 May 2, 2017, with the exception of the following tract: the portion of that
49 certain tract or parcel of land at Carvers Creek State Park in Cumberland
50 County, described in Deed Book 8466, Page 67, and containing 0.33 acres,
51 more or less, as shown on the survey entitled "Ingress-Egress Easement for

1 Stone Mountain Farm, LLC & William C. Elliott, Estate & The State of
2 North Carolina" by George L. Lott, PLS, dated November 2013, and revised
3 in May 2015 and filed with the State Property Office."

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