

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 332
Committee Substitute Favorable 4/21/21
Senate Agriculture, Energy, and Environment Committee Substitute Adopted 6/15/22

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

Sponsors:

Referred to:

March 22, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND
3 HISTORIC PRESERVE, TO REMOVE CERTAIN OTHER PROPERTIES FROM THE
4 STATE NATURE AND HISTORIC PRESERVE, AND TO MAKE CONFORMING
5 CHANGES.

6 The General Assembly of North Carolina enacts:

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

8 "**§ 143-260.10. Components of State Nature and Historic Preserve.**

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

11 (1) All lands and waters within the boundaries of the following units of the State
12 Parks System as of ~~May 2, 2017~~; June 7, 2022: Baldhead Island State Natural
13 Area, Bay Tree Lake State Natural Area, Bear Paw State Natural Area, Beech
14 Creek Bog State Natural Area, Bob's Creek State Natural Area, Bullhead
15 Mountain State Natural Area, Bushy Lake State Natural Area, Carolina Beach
16 State Park, ~~Carvers Creek State Park~~, Cliffs of the Neuse State Park, Chowan
17 Swamp State Natural Area, Deep River State Trail, Dismal Swamp State Park,
18 Elk Knob State Park, Fonta Flora State Trail, Fort Fisher State Recreation
19 Area, Fort Macon State Park, Goose Creek State Park, Grandfather Mountain
20 State Park, Haw River State Park, Hammocks Beach State Park, Jones Lake
21 State Park, Lake Norman State Park, Lea Island State Natural Area, Medoc
22 Mountain State Park, Merchants Millpond State Park, Mount Mitchell State
23 Park, Oconeechee Mountain State Natural Area, Pettigrew State Park, Pilot
24 Mountain State Park, Pineola Bog State Natural Area, Pisgah View State Park,
25 Raven Rock State Park, Run Hill State Natural Area, Salmon Creek State
26 Natural Area, Sandy Run Savannas State Natural Area, Singletary Lake State
27 Park, South Mountains State Park, Stone Mountain State Park, Sugar
28 Mountain State Natural Area, Theodore Roosevelt State Natural Area,
29 Warwick Mill Bay State Natural Area, Weymouth Woods-Sandhills State
30 Natural Area, Wilderness Gateway State Trail, and Yellow Mountain State
31 Natural Area.

32 (2) All lands and waters within the boundaries of William B. Umstead State Park
33 as of ~~May 2, 2017~~; June 7, 2022, with the exception of the following tracts.
34 The tracts excluded from the State Nature and Historic Preserve under this
35 subdivision are deleted from the State Parks System in accordance with



1 G.S. 143B-135.54. The State of North Carolina may only exchange this land
2 for other land for the expansion of William B. Umstead State Park or sell and
3 use the proceeds for that purpose. The State of North Carolina may not
4 otherwise sell or exchange this land.

5 a. Tract Number 65, containing 22.93140 acres as shown on a survey
6 prepared by John S. Lawrence (RLS) and Bennie R. Smith (RLS),
7 entitled "Property of The State of North Carolina William B. Umstead
8 State Park", dated January 14, 1977 and filed in the State Property
9 Office, which was removed from the State Nature and Historic
10 Preserve by Chapter 450, Section 1 of the 1985 Session Laws.

11 b. The portion of that certain tract or parcel of property at William B.
12 Umstead State Park in Wake County, described in Deed Book 13337,
13 Page 2379, and containing 0.15 acres as shown on the survey prepared
14 by Robert T. Newcomb (RLS) entitled "Property of Robert J.
15 Demartini," dated August 1981.

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

17 (4) All lands within the boundaries of Morrow Mountain State Park as of ~~May 2,~~
18 ~~2017, June 7, 2022,~~ with the exception of the following tract: That certain tract
19 or parcel of land at Morrow Mountain State Park in Stanly County, North
20 Albemarle Township, containing 0.303 acres, more or less, as surveyed and
21 platted by Thomas W. Harris R.L.S., on a map dated August 27, 1988, and
22 filed in the State Property Office, reference to which is hereby made for a
23 more complete description.

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

25 (6) All land within the boundaries of Crowders Mountain State Park as of ~~May 2,~~
26 ~~2017, June 7, 2022,~~ with the exception of the following tracts. The tracts
27 excluded from the State Nature and Historic Preserve under this subdivision
28 are deleted from the State Parks System in accordance with G.S. 143B-135.54.
29 The State of North Carolina may only exchange this land for other land for
30 the expansion of Crowders Mountain State Park or sell this land and use the
31 proceeds for that purpose. The State may not otherwise sell or exchange this
32 land.

33 a. The portion of that certain tract or parcel of land at Crowders Mountain
34 State Park in Gaston County, Crowders Mountain Township,
35 described in Deed Book 1939, page 800, and containing 757.28 square
36 feet and as shown in a survey by Tanner and McConnaughey, P.A.
37 dated July 22, 1988 and filed in the State Property Office.

38 ~~b. The portion of that certain tract or parcel of land at Crowders Mountain~~
39 ~~State Park in Gaston County, east of and including the right of way~~
40 ~~along and across Old Peach Orchard Road, as shown in a survey by~~
41 ~~the City of Gastonia, File No. 400-194, dated November 23, 1998, and~~
42 ~~filed in the State Property Office.~~

43 c. The portion of that certain tract or parcel of land at Crowders Mountain
44 State Park in Cleveland County, described in Deed Book 1286, Page
45 No. 85, located on the north side of SR 2245 (Bethlehem Road) and
46 containing 14,964 square feet as shown on the survey entitled "Survey
47 for Crowders Mountain State Park, Deed Book 1103-107, Township 4
48 Kings Mountain, Cleveland County, N.C." by David W. Dickson, P.A.
49 dated February 28, 2008.

50 d. The portion of that certain tract or parcel of land at Crowders Mountain
51 State Park in Cleveland County, described in Deed Book 1286, Page

- 1 85, and containing 0.06 acres and 0.515 acres as shown on the survey
2 entitled "Boundary Survey for the State of N.C. Department of
3 Administration, Township No. Four Cleveland County, N.C." by
4 Carolinas Design Group, PLLC, dated November 6, 2007.
- 5 e. ~~The portion of that certain tract or parcel of land at Crowders Mountain~~
6 ~~State Park in Gaston County, described in Deed Book 2829, page 518,~~
7 ~~and containing 0.15 acres as shown on the survey entitled "Survey~~
8 ~~Made at Request of Larry Hyde, Park Superintendent, Crowders~~
9 ~~Mountain State Park" by Gray Surveying Co., Inc., dated September~~
10 ~~12, 2012.~~
- 11 f. The portion of that certain tract or parcel of property at Crowders
12 Mountain State Park in Gaston County, Crowders Mountain
13 Township, described in Deed Book 1240, Page 451, and containing
14 225 square feet as shown in a survey prepared by R&W Engineering
15 and Surveying entitled "Conveyance of 0.0052 acres owned by
16 Crowders Mountain State Park, Gaston Co., NC" and dated January
17 18, 1995.
- 18 (7) All lands owned in fee simple by the State within the boundaries of New River
19 State Park as of ~~May 2, 2017, June 7, 2022,~~ with the exception of the following
20 tracts: The portion of that certain tract or parcel of land at New River State
21 Park in Ashe County, Chestnut Hill Township, described in Deed Book 432,
22 Page 724, and containing 44,033 square feet as shown on the survey prepared
23 by Thomas Herman Company, PLLC and entitled "Survey for State of North
24 Carolina, Division of Parks and Recreation; Harold Davis; and Joe Davis"
25 dated March 24, 2017, and on file with the State Property Office.
- 26 (8) ~~All lands and waters within the boundaries of Stone Mountain State Park as~~
27 ~~of May 2, 2017, with the exception of the following tracts: The portion of that~~
28 ~~certain tract or parcel of land at Stone Mountain State Park in Wilkes County,~~
29 ~~Traphill Township, described as parcel 33-02 in Deed Book 633-193, and~~
30 ~~more particularly described as all of the land in this parcel lying to the west of~~
31 ~~the eastern edge of the Air Bellows Road, as shown on the National Park~~
32 ~~Service Land Status Map 33 dated March 24, 1981 and filed in the State~~
33 ~~Property Office, containing approximately 72 acres. The tract excluded from~~
34 ~~the State Nature and Historic Preserve under this subdivision is deleted from~~
35 ~~the State Parks System in accordance with G.S. 143B-135.54.~~
- 36 (9) All lands and waters located within the boundaries of the following State
37 Historic Sites as of ~~May 2, 2017; June 7, 2022:~~ Alamance Battleground,
38 Charles B. Aycock Birthplace, Historic Bath, Bennett Place, Bentonville
39 Battleground, Brunswick Town/Fort Anderson, C.S.S. Neuse and Governor
40 Caswell Memorial, Charlotte Hawkins Brown Memorial, Duke Homestead,
41 Historic Edenton, Fort Dobbs, Fort Fisher, Historic Halifax, Horne Creek
42 Living Historical Farm, House in the Horseshoe, North Carolina
43 Transportation Museum, President James K. Polk, Reed Gold Mine, Somerset
44 Place, Historic Stagville, State Capitol, Town Creek Indian Mound, Tryon
45 Palace Historic Sites ~~& and~~ Gardens, Zebulon B. Vance Birthplace, Endor
46 Iron Furnace, and Thomas Wolfe ~~Memorial~~. Memorial, with the exception of
47 the following tracts:
- 48 a. The parcel of property at Tryon Palace Historic Sites and Gardens in
49 Craven County, described in Deed Book 1740, Page 575, and located
50 at 308 George Street, New Bern, North Carolina, 28562.

- 1 b. The portion of that certain tract or parcel of property at Tryon Palace
- 2 Historic Sites and Gardens in Craven County, described in Deed Book
- 3 1248, Page 699, and containing approximately 4,250 square feet as
- 4 shown on a survey prepared by Rivers & Associates, Inc., entitled
- 5 "Easement Survey Map for: The City of New Bern Permanent Utility
- 6 and Maintenance Easement, State of North Carolina (State Property
- 7 Office) 116 West Jones Street, Raleigh, NC 27603," dated April 24,
- 8 2017.
- 9 (10), (11) Repealed by Session Laws 2001-217, s. 2, effective June 15, 2001.
- 10 (12) All lands and waters located within the boundaries of Hanging Rock State
- 11 Park as of ~~May 2, 2017,~~ June 7, 2022, with the exception of the following
- 12 tracts:
- 13 a. The portion of that tract or property at Hanging Rock State Park in
- 14 Stokes County, Danbury Township, described in Deed Book 360, Page
- 15 160, for a 30-foot wide right-of-way beginning approximately 183 feet
- 16 south of SR 1001 and extending in a southerly direction approximately
- 17 1,479 feet to the southwest corner of the Bobby Joe Lankford tract and
- 18 more particularly shown on a survey entitled, "J. Spot Taylor Heirs
- 19 Survey, Danbury Township, Stokes County, N.C.", by Grinski
- 20 Surveying Company, dated June 1985, and filed in the State Property
- 21 Office. The tract excluded from the State Nature and Historic Preserve
- 22 under this subdivision is deleted from the State Parks System in
- 23 accordance with G.S. 143B-135.54.
- 24 b. The portion of that certain tract or parcel of property at Hanging Rock
- 25 State Park in Stokes County, described in Deed Book 267, Page 159,
- 26 and containing 1.53 acres as shown on the survey entitled "Plat of
- 27 Survey for NC Division of Parks and Recreation showing "Camp
- 28 Sertoma Tracts" by C.E. Robertson and Associates, PC, revised April
- 29 6, 2016. The tract excluded from the State Nature and Historic
- 30 Preserve under this subdivision is deleted from the State Parks System
- 31 in accordance with G.S. 143B-135.54. The State of North Carolina
- 32 may only exchange this land for other land for the expansion of
- 33 Hanging Rock State Park or sell and use the proceeds for that purpose.
- 34 The State of North Carolina may not otherwise sell or exchange this
- 35 land.
- 36 c. The portion of that certain tract or parcel of property at Hanging Rock
- 37 State Park in Stokes County, Danbury Township, described in Deed
- 38 Book 368, Page 415, and containing 2,800 square feet as shown on the
- 39 survey prepared by Norman T. Scott entitled "Survey For David
- 40 Hoskins," dated May 20, 2020.
- 41 (13) ~~All lands and waters located within the boundaries of South Mountains State~~
- 42 ~~Park as of May 2, 2017, with the exception of the following tracts. The tracts~~
- 43 ~~excluded from the State Nature and Historic Preserve under this subdivision~~
- 44 ~~are deleted from the State Parks System in accordance with G.S. 143B-135.54.~~
- 45 a., ~~b. Repealed by Session Laws 2007-307, s. 1, effective July 28, 2007.~~
- 46 e. ~~The portions of land at South Mountains State Park that lie south of~~
- 47 ~~the centerline of the CCC road as shown on the drawing entitled "Land~~
- 48 ~~Trade between South Mountains State Park and Adjacent Game Lands~~
- 49 ~~along CCC Road" prepared by the Wildlife Resources Commission in~~
- 50 ~~January 2013 and filed in the State Property Office and that lie within:~~
- 51 ~~(i) the tract or property in Burke County, Lower Fork Township,~~

1 described in Deed Book 495, Page 501; (ii) the tract or property in
2 Burke County, Lower Fork and Upper Fork Townships, described in
3 Deed Book 715, Page 719; (iii) within the tracts or property in Burke
4 County, Upper Fork Township, described in Deed Book 860, Page
5 341, and Deed Book 884, Page 1640; (iv) within that tract or property
6 in Burke County, Silver Creek Township, described in Deed Book
7 1847, Page 287; (v) within that tract or property in Burke County,
8 Upper Creek Township, described in Deed Book 882, Page 2347; (vi)
9 within that tract or property in Burke County, Upper Creek Township,
10 described in Deed Book 882, Page 2352; (vii) within that tract or
11 property in Burke County, Upper Fork Township, described in Deed
12 Book 886, Page 1964; (viii) within that tract or property in Burke
13 County, Upper Fork Township, Deed Book 767, Page 1360; (ix)
14 within that tract or property in Burke County, Upper Fork Township,
15 Deed Book 884, Page 1648; or (x) within that tract or property in
16 Burke County, Upper Fork Township, Book 886, Page 2228. The State
17 of North Carolina may only exchange this land for other land for the
18 expansion of South Mountains State Park or sell this land and use the
19 proceeds for that purpose. The State may not otherwise sell or
20 exchange this land.

21 ~~d. Repealed by Session Laws 2007-307, s. 1, effective July 28, 2007.~~

22 (14) ~~Repealed by Session Laws 2003-234, s. 1, effective June 19, 2003.~~

23 (15) All lands and waters within the boundaries of Jockey's Ridge State Park as of
24 ~~May 2, 2017, June 7, 2022,~~ with the exception of the following tracts:

25 a. The portion of those certain tracts or parcels of land at Jockey's Ridge
26 State Park in Dare County, Nags Head Township, described in Deed
27 Book 227, Page 499, and Deed Book 227, Page 501, and containing
28 33,901 square feet as shown on the survey prepared by Styons
29 Surveying Services entitled "Raw Water Well Site 13 Jockey's Ridge
30 State Park" dated March 7, 2001, and filed in the State Property ~~Office;~~
31 Office.

32 b. ~~the~~ The portion of that certain tract or parcel of land at Jockey's Ridge
33 State Park in Dare County, Nags Head Township, described in Deed
34 Book 222, Page 726, and containing 42,909 square feet as shown on
35 the survey prepared by Styons Surveying Services entitled "Raw
36 Water Well Site 14 Jockey's Ridge State Park" dated March 7, 2001,
37 and filed in the State Property ~~Office;~~ Office.

38 c. ~~the~~ The portion of that certain tract or parcel of land at Jockey's Ridge
39 State Park in Dare County, Nags Head Township, described in Deed
40 Book 224, Page 790, and Deed Book 224, Page 794, and containing
41 34,471 square feet as shown on the survey prepared by Styons
42 Surveying Services entitled "Raw Water Well Site 15 Jockey's Ridge
43 State Park" dated March 7, 2001, and filed in the State Property ~~Office;~~
44 Office.

45 d. ~~and the~~ The portion of those certain tracts or parcels of land at Jockey's
46 Ridge State Park in Dare County, Nags Head Township, described in
47 Deed Book 227, Page 501, and Deed Book 230, Page 525, and
48 containing 12,655 square feet as shown on the preliminary plat entitled
49 "Easement Survey for Town of Nags Head" prepared by Seaboard
50 Surveying & Planning, Inc., dated August 29, 2012.

- 1 e. The portion of that certain tract or parcel of property at Jockey's Ridge
 2 State Park in Dare County, described in Deed Book 222, Page 732,
 3 and Deed Book 227, Page 501, and containing 0.6 acres as shown in a
 4 survey by Timmons Group entitled "Plat Showing a Proposed
 5 Dominion North Carolina Power Easement Across the Properties of
 6 the State of North Carolina (Jockey's Ridge State Park)," dated
 7 December 18, 2014.
- 8 (16) All lands and waters located within the boundaries of Mount Jefferson State
 9 Natural Area as of ~~May 2, 2017~~, June 7, 2022. With respect to the
 10 communications tower site on the top of Mount Jefferson and located on that
 11 certain tract or parcel of land at Mount Jefferson State Natural Area in Ashe
 12 County, West Jefferson Township, described in Deed Book F-3, Page 94, the
 13 State may provide space at the communications tower site to State public
 14 safety and emergency management agencies for the placement of antennas,
 15 repeaters, and other communications devices for public communications
 16 purposes. In conformance with G.S. 146-29.2, the State may lease space at the
 17 communications tower site to local governments in Ashe County for the
 18 placement of antennas, repeaters, and other communications devices for
 19 public communications purposes. State agencies and local governments that
 20 are authorized to place communications devices at the communications tower
 21 site pursuant to this subdivision may also locate at or near the communications
 22 tower site communications equipment that is necessary for the proper
 23 operation of the communications devices. The use of the communications
 24 tower site pursuant to this subdivision is authorized by the General Assembly
 25 as a purpose other than the public purposes specified in Article XIV, Section
 26 5, of the North Carolina Constitution, Article 25B of Chapter 143 of the
 27 General Statutes, and Part 32 of ~~Article 7 [Article 2]~~ Article 2 of Chapter 143B
 28 of the General Statutes.
- 29 (17) All lands and waters within the Eno River State Park as of ~~May 2, 2017~~, June
 30 7, 2022, with the exception of the following tracts:
- 31 a. The portion of that certain tract or parcel of land at Eno River State
 32 Park in Durham County, Durham Outside Township, described in
 33 Deed Book 435, Page 673, and Plat Book 87, Page 66, containing
 34 11,000 square feet and being the portion of Lot No. 2 shown as the
 35 existing scenic easement hereby removed on the drawing prepared by
 36 Sear-Brown entitled "Recombination Plat Eno Forest Subdivision"
 37 bearing the preparer's file name 00-208-07.dwg, and filed with State
 38 Property Office. The tract excluded from the State Nature and Historic
 39 Preserve under this subdivision is deleted from the State Parks System
 40 pursuant to G.S. 143B-135.54. The State of North Carolina may only
 41 exchange this land for other land for the expansion of Eno River State
 42 Park or sell this land and use the proceeds for that purpose. The State
 43 may not otherwise sell or exchange this land.
- 44 b. The portion of that certain tract or parcel of land at Eno River State
 45 Park in Orange County, described in Deed Book 3878, Page 461, and
 46 Plat Book 98, Page 11, containing 5,313 square feet and required for
 47 the permanent easements for bridge replacement project B-4216 on SR
 48 1002 (St. Mary's Road), as shown in the drawing entitled "Preliminary
 49 Plans, Project Reference No. B-4216" prepared for North Carolina
 50 Department of Transportation by Mulkey Engineers and Consultants
 51 dated March 10, 2009, and filed with the State Property Office. The

1 tracts excluded from the State Nature and Historic Preserve under this
2 section are deleted from the State Parks System pursuant to
3 G.S. 143B-135.54. The State of North Carolina may only exchange
4 this land for other land for the expansion of Eno River State Park or
5 sell this land and use the proceeds for that purpose. The State may not
6 otherwise sell or exchange this land.

7 (18) All land and waters within the boundaries of Hemlock Bluffs State Natural
8 Area as of ~~May 2, 2017, June 7, 2022,~~ with the exception of the following
9 ~~tracts:~~ tracts. The tracts excluded from the State Nature and Historic Preserve
10 under this subdivision are deleted from the State Parks System pursuant to
11 G.S. 143B-135.54. The State of North Carolina may only exchange this land
12 for other land for the expansion of Hemlock Bluffs State Natural Area or sell
13 this land and use the proceeds for that purpose. The State may not otherwise
14 sell or exchange this land.

15 a. The portion of that certain tract or parcel of land at Hemlock Bluffs
16 State Natural Area in Wake County, Swift Creek Township, described
17 in Deed Book 2461, Page 037, containing 2,025 square feet and being
18 the portion of this tract shown as proposed R/W on the drawing
19 prepared by Titan Atlantic Group entitled "Right of Way Acquisition
20 Map for Town of Cary Widening of Kildaire Farm Road (SR 1300)
21 from Autumgate Drive to Palace Green" sheet 1 of 3 bearing the
22 preparer's file name Town of Cary Case File No. TOC 01-37, dated 26
23 September 2003, and filed with the State Property ~~Office;~~ Office.

24 b. ~~and the~~ The portion of those certain tracts or parcels of land at
25 Hemlock Bluffs State Natural Area in Wake County, Swift Creek
26 Township, described in Deed Book 4670, Page 420, containing 24,092
27 square feet and being the portion of these tracts shown as proposed
28 R/W on the drawing prepared by Titan Atlantic Group entitled "Right
29 of Way Acquisition Map for Town of Cary Widening of Kildaire Farm
30 Road (SR 1300) from Autumgate Drive to Palace Green" sheet 3 of 3
31 bearing the preparer's file name Town of Cary Case File No. TOC
32 01-37, dated 26 September 2003, and filed with the State Property
33 Office. ~~The tracts excluded from the State Nature and Historic~~
34 ~~Preserve under this subdivision are deleted from the State Parks~~
35 ~~System pursuant to G.S. 143B-135.54. The State of North Carolina~~
36 ~~may only exchange this land for other land for the expansion of~~
37 ~~Hemlock Bluffs State Natural Area or sell this land and use the~~
38 ~~proceeds for that purpose. The State may not otherwise sell or~~
39 ~~exchange this land.~~

40 c. The portion of that certain tract or parcel of property in Wake County,
41 described in Deed Book 3135, Page 937, and containing 14.4 acres as
42 shown in a survey prepared by A. Roger Barnes (RLS) entitled
43 "Proposed Exchange of 14.4 Acres From the State of North Carolina
44 to the Town of Cary," dated August 19, 1988.

45 (19) All lands and waters within the boundaries of Lake James State Park as of
46 ~~May 2, 2017, June 7, 2022,~~ with the exception of the following tracts:

47 a. The portion of that certain tract or parcel of land at Lake James State
48 Park containing 13.85 acres, and being 100 feet to the east and 150
49 feet to the west of a centerline shown on a survey by Witherspoon
50 Surveying PLLC, dated February 9, 2007, and filed in the State
51 Property Office. The State of North Carolina may grant a temporary

- 1 easement to Duke Energy Corporation across this tract to facilitate the
2 Catawba Dam Embankment Seismic Stability Improvements Project.
3 The grant of the easement within Lake James State Park to Duke
4 Energy Corporation under this sub-subdivision constitutes
5 authorization by the General Assembly that the described tract of land
6 may be used for a purpose other than the public purposes specified in
7 Article XIV, Section 5, of the North Carolina Constitution, Article 25B
8 of Chapter 143 of the General Statutes, and Part 32 of ~~Article 7 [Article~~
9 ~~2] Article 2~~ of Chapter 143B of the General Statutes. The State of
10 North Carolina may use the proceeds from the easement only for the
11 expansion or improvement of Lake James State Park or another State
12 park. The State may not otherwise sell or exchange this land.
- 13 b. The portion of that certain tract or parcel of land at Lake James State
14 Park in McDowell County, Nebo Township, described in Deed Book
15 377, Page 423, and also shown as Tract B on the plat of survey
16 prepared by Kenneth D. Suttles, RLS, dated December 4, 1987,
17 entitled "Lake James State Park," Sheet 1 of 2, recorded in Plat Book
18 4, Page 275 of the McDowell County Registry, for a 40-foot
19 right-of-way beginning at the southwest corner of Tract B and
20 continuing along the southern boundary 86 38' 51" E for 400 feet to
21 the now or former John D. Walker property. The State of North
22 Carolina may grant an easement across this tract to extinguish
23 prescriptive easements on Tract B to improve management of the State
24 park property. The State may not otherwise sell or exchange this land.
25 The easement excluded from the State Nature and Historic Preserve
26 under this subdivision is deleted from the State Parks System pursuant
27 to G.S. 143B-135.54.
- 28 c. That portion of that certain tract or parcel of land at Lake James State
29 Park in Burke County, Linville Township, described in Deed Book
30 1431, Page 859, and shown on the survey prepared by Suttles
31 Surveying, PA dated May 2, 2014, entitled "Survey for State of North
32 Carolina," containing 3.41 acres and on file with the State Property
33 Office. The tracts excluded from the State Nature and Historic
34 Preserve under this subdivision are deleted from the State Parks
35 System in accordance with G.S. 143B-135.54. The State of North
36 Carolina may only exchange this land for other land for the expansion
37 of Lake James State Park or sell this land and use the proceeds for that
38 purpose. The State may not otherwise sell or exchange this land.
- 39 (20) All lands and waters within the boundaries of Lake Waccamaw State Park as
40 of ~~May 2, 2017, June 7, 2022,~~ with the exception of the following tracts:
- 41 a. The portions of that certain tract or parcel of land at Lake Waccamaw
42 State Park in Columbus County described in Deed Book 835, Page
43 590, containing 48,210 square feet and being the portion of this tract
44 shown as new R/W and permanent utility easement on drawing
45 prepared by State of North Carolina Department of Transportation
46 entitled "Map of Proposed Right of Way Property of State of North
47 Carolina (Parks and Recreation) Columbus County" for Tip B-3830
48 on SR 1947 (Bella Coola Road) done by John E. Kaukola, PLS No.
49 3999 and compiled 1-18-2008, and filed with the State Property
50 Office. The tracts excluded from the State Nature and Historic
51 Preserve under this section are deleted from the State Parks System

- 1 pursuant to G.S. 143B-135.54. The State of North Carolina may only
2 exchange this land for other land for the expansion of Lake Waccamaw
3 State Park or sell this land and use the proceeds for that purpose. The
4 State may not otherwise sell or exchange this land.
- 5 b. The portions of that certain tract or parcel of land at Lake Waccamaw
6 State Park in Columbus County, Bolton Township, described in Deed
7 Book 231, Page 597, containing 56,440 square feet and being the
8 portion of this tract shown as Option A and Proposed 20' Wide Utility
9 easement on a drawing entitled "Map for State of North Carolina and
10 Town of Lake Waccamaw" and filed with the State Property Office.
11 The grant of the easement within Lake Waccamaw State Park to the
12 Town of Lake Waccamaw under this section constitutes authorization
13 by the General Assembly that the described tract of land may be used
14 for a purpose other than the public purposes specified in Section 5 of
15 Article XIV of the North Carolina Constitution, Article 25B of Chapter
16 143 of the General Statutes, and Part 32 of Article 2 of Chapter 143B
17 of the General Statutes.
- 18 (21) All lands and waters within the boundaries of Chimney Rock State Park as of
19 ~~May 2, 2017, June 7, 2022,~~ with the exception of the following tracts:
- 20 a. The portion of that certain tract or parcel of land at Chimney Rock
21 State Park in Rutherford County being a portion of Parcel 2 as
22 described in Deed Book 933, Page 598, containing 346 square feet and
23 being shown as proposed right-of-way for bridge replacement project
24 B-4258 on U.S. 64 over the Broad River on drawing prepared by
25 Kimley-Horn and Associates for the North Carolina Department of
26 Transportation and revised October 26, 2007, and filed with the State
27 Property Office. The portion of that certain tract or parcel of land at
28 Chimney Rock State Park in Polk County, Cooper Gap Township,
29 Deed Book 393, Page 1402, containing 6.5 acres more or less and
30 shown on the survey entitled "Plat of Survey for The State of North
31 Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014, and
32 filed with the State Property Office. The tracts excluded from the State
33 Nature and Historic Preserve under this section are deleted from the
34 State Parks System pursuant to G.S. 143B-135.54. The State of North
35 Carolina may only exchange this land for other land for the expansion
36 of Chimney Rock State Park or sell this land and use the proceeds for
37 that purpose. The State may not otherwise sell or exchange this land.
- 38 b. With respect to the communications tower site on Chimney Rock
39 Mountain located on a portion of that certain tract or parcel of land at
40 Chimney Rock State Park in Rutherford County, Chimney Rock
41 Township, described in Deed Book 933, Page 598, the State may
42 provide space at the communications tower site to State public safety,
43 emergency management, local governments in Rutherford County,
44 and public television agencies for the placement of antennas, repeaters,
45 and other communications devices for public communications
46 purposes. State agencies and local governments that are authorized to
47 place communications devices at or near the communications tower
48 site pursuant to this subdivision may also locate at or near the
49 communications tower site communications equipment necessary for
50 the proper operation of the communications devices. The use of the
51 communications tower site pursuant to this subdivision is authorized

1 by the General Assembly as a purpose other than the public purposes
2 specified in Section 5 of Article XIV of the North Carolina
3 Constitution, Article 25B of Chapter 143 of the General Statutes, and
4 Article 2 of Chapter 143B of the General Statutes.

5 e. ~~The portion of that certain tract or parcel of property at Chimney Rock
6 State Park in Polk County, Cooper Gap Township, described in Deed
7 Book 393, Page 1402, containing 28.84 acres, as shown on the survey
8 entitled "Plat of Survey for The State of North Carolina" prepared by
9 Stacy Kent Rhodes dated May 15, 2014, and filed with the State
10 Property Office. The property described in this subdivision is deleted
11 from the State Parks System pursuant to G.S. 143B-135.54. The State
12 may only exchange this property for other property for the expansion
13 of Chimney Rock State Park or sell this land and use the proceeds for
14 that purpose. The State shall not otherwise sell or exchange this land.~~

15 d. The portion of that certain tract or parcel of land at Chimney Rock
16 State Park in Rutherford County, Chimney Rock Township, being
17 Parcel 2 as described in Deed Book 933, Page 598, containing 0.24
18 acres as shown on a survey prepared by Professional Surveying
19 Services entitled "Chimney Rock State Park," dated April 13, 2007.
20 The tract excluded from the State Nature and Historic Preserve under
21 this section is deleted from the State Parks System pursuant to
22 G.S. 143B-135.54. The State of North Carolina may only exchange
23 this land for other land for the expansion of Chimney Rock State Park
24 or sell this land and use the proceeds for that purpose. The State may
25 not otherwise sell or exchange this land.

26 (22) All State-owned land and waters within the boundaries of the
27 Mountains-to-Sea Trail as of ~~May 2, 2017,~~ June 7, 2022, with the exception
28 of the following tract: ~~The portion of that certain tract or parcel in Johnston
29 County described in Deed Book 3634, Page 278, containing 4.72 acres and
30 being described as proposed easement area for Piedmont Natural Gas
31 Company transmission line on drawing entitled "Easement Survey Prepared
32 for Piedmont Natural Gas Company, Line 142, Easement to be Acquired from
33 the State of North Carolina" by McKim & Creed and dated July 31, 2008, and
34 revised March 11, 2009.~~ The portion of that certain tract or parcel in Johnston
35 County described in Deed Book 3634, Page 278, containing 1.538 acres as
36 shown as the proposed easement area for Piedmont Natural Gas Company
37 transmission line on the drawing prepared by McKim & Creed entitled
38 "Easement Across The Land Of State of North Carolina," dated September
39 28, 2021, and revised October 6, 2021. The State of North Carolina may grant
40 an easement to Piedmont Natural Gas Company across this tract to facilitate
41 the transmission of natural gas. The grant of the easement within the
42 Mountains-to-Sea Trail to Piedmont Natural Gas Company under this section
43 constitutes authorization by the General Assembly that the described tract of
44 land may be used for a purpose other than the public purposes specified in
45 Section 5 of Article XIV of the North Carolina Constitution, Article 25B of
46 Chapter 143 of the General Statutes, and Part 32 of ~~Article 7~~ Article 2 ~~Article~~
47 2 of Chapter 143B of the General Statutes. The State of North Carolina may
48 use the proceeds from the easement only for the expansion or improvement of
49 the Mountains-to-Sea Trail or another State park. The State may not otherwise
50 sell or exchange this land.

- 1 (23) All State-owned land and waters within the boundaries of Gorges State Park
2 as of ~~May 2, 2017, June 7, 2022,~~ with the exception of the following ~~tracts:~~
3 tracts. The tracts excluded from the State Nature and Historic Preserve under
4 this subdivision are deleted from the State Parks System in accordance with
5 G.S. 143B-135.54. The State of North Carolina may only exchange this land
6 for other land for the expansion of Gorges State Park or sell this land and use
7 the proceeds for that purpose. The State may not otherwise sell or exchange
8 this land.
- 9 a. The portions of that certain tract or parcel of land in Transylvania
10 County, described in Deed Book 267, Page 838, containing a total of
11 7.26 acres for the North Carolina Department of Transportation project
12 TIP R-2409C US 64 Safety Improvements. As shown on right-of-way
13 drawing from the North Carolina Department of Transportation dated
14 May 22, 2014, for TIP R-2409C, Parcel 002, on file with the State
15 Property Office. ~~The tract excluded from the State Nature and Historic~~
16 ~~Preserve under this subdivision is deleted from the State Parks System~~
17 ~~in accordance with G.S. 143B-135.54. The State of North Carolina~~
18 ~~may only exchange this land for other land for the expansion of Gorges~~
19 ~~State Park or sell this land and use the proceeds for that purpose. The~~
20 ~~State may not otherwise sell or exchange this land.~~
- 21 b. The portion of that certain tract or parcel of property at Gorges State
22 Park in Transylvania County, described in Deed Book 153, Page 083,
23 and containing approximately 4.2 acres as shown as Tract "A" in a
24 survey prepared by E. Roger Raxter, Inc., entitled "State of North
25 Carolina and Blue Ridge Mountains RV Resort Property Owners'
26 Association, Inc.," and dated March 20, 2016.
- 27 (24) All State-owned land and waters within the boundaries of Lower Haw State
28 Natural Area as of ~~May 2, 2017, June 7, 2022,~~ with the exception of the
29 following ~~tract:~~ tracts:
- 30 a. ~~the~~ The portion of that certain tract or parcels in Chatham County,
31 described in Deed Book 1319, Page 1047, containing 12,501 square
32 feet and shown on a survey entitled "Recombination Survey for the
33 North Carolina Division of Parks and Recreation and PK Ventures I
34 LTD Partnership" prepared by S.D. Puckett and Associates dated April
35 22, 2014, and on file with the State Property Office. The tract excluded
36 from the State Nature and Historic Preserve under this subdivision is
37 deleted from the State Parks System in accordance with
38 G.S. 143B-135.54. The State of North Carolina may only exchange
39 this land for other land for the expansion of Lower Haw State Natural
40 Area or sell this land and use the proceeds for that purpose. The State
41 may not otherwise sell or exchange this land.
- 42 b. The portion of that certain tract or parcel of land at Lower Haw State
43 Natural Area in Chatham County, Center Township, containing 1,658
44 square feet and shown on a survey prepared by TEP Engineering
45 entitled "Permanent Electrical Easement Exhibit," dated June 15,
46 2020. The State of North Carolina may grant an easement to Conterra
47 Ultra Broadband across this tract to extend broadband services. The
48 grant of the easement within Lower Haw State Natural Area to
49 Conterra Ultra Broadband under this section constitutes authorization
50 by the General Assembly that the described tract of land may be used
51 for a purpose other than the public purposes specified in Section 5 of

1 Article XIV of the North Carolina Constitution, Article 25B of Chapter
2 143 of the General Statutes, and Part 32 of Article 2 of Chapter 143B
3 of the General Statutes.

4 (25) All State-owned land and waters within the boundaries of Lumber River State
5 Park as of ~~May 2, 2017~~, June 7, 2022, with the exception of the following
6 tracts:

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

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

31 c. The portion of those certain tracts or parcels of land at Lumber River
32 State Park in Robeson County, Pembroke Township, described in
33 Deed Book 575, Page 523 and Deed Book 931, Page 415 and
34 containing a total of approximately 2.12 acres as shown in surveys
35 prepared by McKim and Creed and labeled Drawing Number
36 2017-041 and 2017-042 dated April 24, 2017, and on file with the
37 State Property Office.

38 d. The portion of that certain tract or parcel of land at Lumber River State
39 Park in Robeson County, described in Deed Book 1899, Page 479,
40 containing 0.5 acres and being a 20-foot wide easement beginning at
41 N.C. 711 (Country Club Road) and extending in a southerly direction
42 approximately 1,200 feet along the eastern boundary of the Elaine K.
43 Leggett tract, as shown on a survey prepared by W.E. Stone Jr.,
44 entitled "Map of Property in Raft Swamp TWP Robeson County N.C.,
45 Made For Estate of O.C. Norment," dated November 24, 1970. The
46 tracts excluded from the State Nature and Historic Preserve under this
47 sub-subdivision are deleted from the State Parks System in accordance
48 with G.S. 143B-135.54.

49 (26) All State-owned land and waters within the boundaries of Mitchells Millpond
50 State Natural Area as of ~~May 2, 2017~~, June 7, 2022, with the exception of the
51 following ~~tract~~-tracts. The tracts excluded from the State Nature and Historic

1 Preserve under this subdivision are deleted from the State Parks System in
 2 accordance with G.S. 143B-135.54. The State of North Carolina may only
 3 exchange this land for other land for the expansion of the State Parks System
 4 or sell this land and use the proceeds for that purpose. The State may not
 5 otherwise sell or exchange this land.

6 a. ~~the~~ The portions of that certain tract or parcel in Wake County,
 7 described in Deed Book 2445, Page 62, containing approximately
 8 0.215 acres as shown on the right-of-way plan for SR 2224 (Mitchell
 9 Mill Road) bridge No. 162 replacement project and on file with the
 10 State Property Office. The tract excluded from the State Nature and
 11 Historic Preserve under this subdivision is deleted from the State Parks
 12 System in accordance with G.S. 143B-135.54. The State of North
 13 Carolina may only exchange this land for other land for the expansion
 14 of the State Parks system or sell this land and use the proceeds for that
 15 purpose. The State may not otherwise sell or exchange this land.

16 b. The portion of that certain tract or parcel of property at Mitchell's
 17 Millpond State Natural Area in Wake County, described in Deed Book
 18 4186, Page 756, and containing 0.08 acres as shown in a survey by the
 19 North Carolina Department of Transportation, Right-of-Way Branch,
 20 entitled "State of North Carolina, Parcel 002," dated March 11, 2015.

21 (27) All lands and waters within the boundaries of Carvers Creek State Park as of
 22 May 2, 2017, June 7, 2022, with the exception of the following tract: the
 23 portion of that certain tract or parcel of land at Carvers Creek State Park in
 24 Cumberland County, described in Deed Book 8466, Page 67, and containing
 25 0.33 acres, more or less, as shown on the survey entitled "Ingress-Egress
 26 Easement for Stone Mountain Farm, LLC & William C. Elliott, Estate & The
 27 State of North Carolina" by George L. Lott, PLS, dated November 2013, and
 28 revised in May 2015 and filed with the State Property Office.

29 (28) All lands and waters within the boundaries of Mayo River State Park as of
 30 May 2, 2017, June 7, 2022, with the exception of the following tracts, to allow
 31 construction of an access bridge from a tract or parcel of land owned by the
 32 State of North Carolina over the Mayo River, which bridge shall be of
 33 sufficient width to allow emergency vehicle and State Park vehicle access for
 34 the purpose of addressing public safety issues and service vehicle access to
 35 monitor, maintain, repair, or replace the existing sewer line traversing portions
 36 of Mayo River State Park:

37 a. The portion of that certain tract or parcel of land at Mayo River State
 38 Park in Rockingham County described in Deed Book 1244, Page 1392,
 39 and containing 6.62 acres.

40 b. The portion of that certain tract or parcel of land at Mayo River State
 41 Park in Rockingham County described in Deed Book 1244, Page 1390,
 42 and ~~containing 6.62 acres.~~ containing 0.62 acres.

43 c. The portion of that certain tract or parcel of land at Mayo River State
 44 Park in Rockingham County described in Deed Book 1353, Page 2214,
 45 and ~~containing 6.1 acres.~~ containing 0.61 acres.

46 d. The portion of that certain tract or parcel of land at Mayo River State
 47 Park in Rockingham County described in Deed Book 1353, Page 2216,
 48 and ~~containing 5.2 acres.~~ containing 0.52 acres.

49 e. The portion of that certain tract or parcel of land at Mayo River State
 50 Park in Rockingham County described in Deed Book 1353, Page 2216,
 51 and containing 1.54 acres."

- 1 **SECTION 2.** G.S. 143-260.8(d) reads as rewritten:
2 "(d) The petition referred to in subsections ~~(a) and (b)~~ and (c) of this section shall identify
3 the properties sought to be included in the Preserve. The General Assembly may then enact a law
4 to accept the designated properties in the Preserve and enactment of the law by the General
5 Assembly shall constitute the special dedication and acceptance of the designated properties in
6 the State Nature and Historic Preserve contemplated by Article XIV, Sec. 5 of the North Carolina
7 Constitution."
8 **SECTION 3.(a)** G.S. 143-260.10C is repealed.
9 **SECTION 3.(b)** G.S. 143-260.10G is repealed.
10 **SECTION 3.(c)** G.S. 143-260.10H is repealed.
11 **SECTION 3.(d)** G.S. 143-260.10I is repealed.
12 **SECTION 3.(e)** G.S. 143-260.10J is repealed.
13 **SECTION 4.** This act is effective when it becomes law.