

April 16, 2007

H 1511. DEFINE A TAKING BY DOT. Filed 4/16/07. *TO INCLUDE REAL PROPERTY THAT HAS BEEN DESIGNATED BY THE DEPARTMENT OF TRANSPORTATION AS REAL PROPERTY THAT IS IN A CORRIDOR OF A FUTURE HIGHWAY AS REAL PROPERTY THAT HAS BEEN TAKEN UNDER THE TAKINGS CLAUSE OF THE CONSTITUTION.*

Enacts new GS 136-44.55 defining the application of the takings clause of the constitution under circumstances where (1) an owner of real property has complied with the provisions of GS 136-28.7 (contracts requirements relating to construction materials), and (2) two calendar years have passed since the Department of Transportation (DOT), a city, or a regional transportation authority has filed a transportation corridor official map with the county register of deeds identifying real property that will be affected by a future transportation corridor. Provides that when the plans for the future transportation corridor appreciably impair or restrict the lawful owner's use of the real property or ability to relinquish or transfer the property, DOT, the county, or the regional authority is considered to have taken the property under the takings clause of the constitution and must pay fair market value to the owner for the parts of the property that will be affected by plans for a future transportation corridor. Effective July 1 ,2007.

Intro. by Moore.

GS 136

May 22, 2007

H 1511. STUDY TRANSPORTATION CORRIDOR MAP ACT (NEW). Filed 4/16/07. House committee substitute replaces first edition with a new act *TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY ACQUISITION OF PROPERTY UNDER THE TRANSPORTATION CORRIDOR OFFICIAL MAP ACT.* As title indicates, with the report due February 1, 2008. Effective when it becomes law.