

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 1139
PROPOSED COMMITTEE SUBSTITUTE H1139-PCS30779-TAx-43

Short Title: State Nat. & Hist. Pres. Adds & Dels.

(Public)

Sponsors:

Referred to:

May 21, 2014

1 A BILL TO BE ENTITLED
2 AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE
3 STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS
4 FROM THE STATE NATURE AND HISTORIC PRESERVE.

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

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

15 Whereas, more than 17,000 acres have been added to the State Parks System since
16 the last dedication and acceptance of properties as part of the State Nature and Historic
17 Preserve pursuant to a petition to the Council of State dated May 5, 2009; and

18 Whereas, in accordance with G.S. 143-260.8, on May 6, 2014, the Council of State
19 voted to petition to the General Assembly to enact a law pursuant to Section 5 of Article XIV
20 of the North Carolina Constitution to dedicate and accept properties added to the State Parks
21 System and designated in the petition for inclusion as parts of the State Nature and Historic
22 Preserve; and

23 Whereas, as a part of its petition of May 6, 2014, the Council of State also requested
24 the General Assembly to remove certain properties from the State Nature and Historic
25 Preserve; and

26 Whereas, G.S. 113-44.14 provides for additions to, and deletions from, the State
27 Parks System upon authorization by the General Assembly; Now, therefore,

28
29 The General Assembly of North Carolina enacts:

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

31 "§ 143-260.10. Components of State Nature and Historic Preserve.

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

- 34 (1) All lands and waters within the boundaries of the following units of the State
35 Parks System as of ~~May 5, 2009~~: May 6, 2014: Baldhead Island State
36 Natural Area, Bay Tree Lake State Park, Bear Paw State Natural Area,



* H 1 1 3 9 - P C S 3 0 7 7 9 - T A X - 4 3 *

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

18 (2) All lands and waters within the boundaries of William B. Umstead State
19 Park as of ~~May 5, 2009, May 6, 2014,~~ 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. 113-44.14. The State of North Carolina may only exchange this land for
28 other land for the expansion of William B. Umstead State Park or sell and
29 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 5,~~
33 ~~2009, May 6, 2014,~~ 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 ~~5, 2009, May 6, 2014,~~ 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 G.S. 113-44.14.
44 The State of North Carolina may only exchange this land for other land for
45 the expansion of Crowders Mountain State Park or sell this land and use the
46 proceeds for that purpose. The State may not otherwise sell or exchange this
47 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 5, 2009~~ May 6, 2014.
- 30 (8) All lands and waters within the boundaries of Stone Mountain State Park as
31 of ~~May 5, 2009~~ May 6, 2014, with the exception of the following tracts: The
32 portion of that certain tract or parcel of land at Stone Mountain State Park in
33 Wilkes County, Traphill Township, described as parcel 33-02 in Deed Book
34 633-193, and more particularly described as all of the land in this parcel
35 lying to the west of the eastern edge of the Air Bellows Road, as shown on
36 the National Park Service Land Status Map 33 dated March 24, 1981 and
37 filed in the State Property Office, containing approximately 72 acres. The
38 tract excluded from the State Nature and Historic Preserve under this
39 subdivision is deleted from the State Parks System in accordance with
40 G.S. 113-44.14.
- 41 (9) All lands and waters located within the boundaries of the following State
42 Historic Sites as of ~~May 5, 2009~~ May 6, 2014: Alamance Battleground,
43 Charles B. Aycock Birthplace, Historic Bath, Bennett Place, Bentonville
44 Battleground, Brunswick Town/Fort Anderson, C.S.S. Neuse and Governor
45 Caswell Memorial, Charlotte Hawkins Brown Memorial, Duke Homestead,
46 Historic Edenton, Fort Dobbs, Fort Fisher, Historic Halifax, Horne Creek
47 Living Historical Farm, House in the Horseshoe, North Carolina
48 Transportation Museum, James K. Polk Memorial, Reed Gold Mine,
49 Somerset Place, Stagville, State Capitol, Town Creek Indian Mound, Tryon
50 Palace Historic Sites & Gardens, Zebulon B. Vance Birthplace, and Thomas
51 Wolfe Memorial.

1 (10), (11) Repealed by Session Laws 2001-217, s. 2, effective June 15, 2001.

2 (12) All lands and waters located within the boundaries of Hanging Rock State
3 Park as of ~~May 5, 2009~~, May 6, 2014, with the exception of the following
4 tract: The portion of that tract or property at Hanging Rock State Park in
5 Stokes County, Danbury Township, described in Deed Book 360, Page 160,
6 for a 30-foot wide right-of-way beginning approximately 183 feet south of
7 SR 1001 and extending in a southerly direction approximately 1,479 feet to
8 the southwest corner of the Bobby Joe Lankford tract and more particularly
9 shown on a survey entitled, "J. Spot Taylor Heirs Survey, Danbury
10 Township, Stokes County, N.C.", by Grinski Surveying Company, dated
11 June 1985, and filed in the State Property Office. The tract excluded from
12 the State Nature and Historic Preserve under this subdivision is deleted from
13 the State Parks System in accordance with G.S. 113-44.14.

14 (13) All lands and waters located within the boundaries of South Mountains State
15 Park as of ~~May 5, 2009~~, May 6, 2014, with the exception of the following
16 tracts. The tracts excluded from the State Nature and Historic Preserve under
17 this subdivision are deleted from the State Parks System in accordance with
18 G.S. 113-44.14.

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

20 c. The portions of land at South Mountains State Park that lie south of
21 the centerline of the CCC road as shown on the drawing entitled
22 "Land Trade between South Mountains State Park and Adjacent
23 Game Lands along CCC Road" prepared by the ~~Division of Parks
24 and Recreation, dated March 15, 1999, Wildlife Resources
25 Commission in January 2013~~ and filed in the State Property Office
26 and that lie within: (i) the tract or property in Burke County, Lower
27 Fork Township, described in Deed Book 495, Page 501; (ii) the tract
28 or property in Burke County, Lower Fork and Upper Fork
29 Townships, described in Deed Book 715, Page 719; ~~or~~, (iii) within
30 the tracts or property in Burke County, Upper Fork Township,
31 described in Deed Book 860, Page 341, and Deed Book 884, Page
32 ~~1640~~.1640; (iv) within that tract or property in Burke County, Silver
33 Creek Township, described in Deed Book 1847, Page 287; (v) within
34 that tract or property in Burke County, Upper Creek Township,
35 described in Deed Book 882, Page 2347; (vi) within that tract or
36 property in Burke County, Upper Creek Township, described in
37 Deed Book 882, Page 2352; (vii) within that tract or property in
38 Burke County, Upper Fork Township, described in Deed Book 886,
39 Page 1964; (viii) within that tract or property in Burke County,
40 Upper Fork Township, Deed Book 767, Page 1360; (ix) within that
41 tract or property in Burke County, Upper Fork Township, Deed Book
42 884, Page 1648; or (x) within that tract or property in Burke County,
43 Upper Fork Township, Book 886, Page 2228. The State of North
44 Carolina may only exchange this land for other land for the
45 expansion of South Mountains State Park or sell this land and use the
46 proceeds for that purpose. The State may not otherwise sell or
47 exchange this land.

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

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

50 (15) All lands and waters within the boundaries of Jockey's Ridge State Park as
51 of ~~May 5, 2009~~, May 6, 2014, with the exception of the following tracts: The

1 portion of those certain tracts or parcels of land at Jockey's Ridge State Park
2 in Dare County, Nags Head Township, described in Deed Book 227, Page
3 499, and Deed Book 227, Page 501, and containing 33,901 square feet as
4 shown on the survey prepared by Styons Surveying Services entitled "Raw
5 Water Well Site 13 Jockey's Ridge State Park" dated March 7, 2001, and
6 filed in the State Property Office; the portion of that certain tract or parcel of
7 land at Jockey's Ridge State Park in Dare County, Nags Head Township,
8 described in Deed Book 222, Page 726, and containing 42,909 square feet as
9 shown on the survey prepared by Styons Surveying Services entitled "Raw
10 Water Well Site 14 Jockey's Ridge State Park" dated March 7, 2001, and
11 filed in the State Property Office; and the portion of that certain tract or
12 parcel of land at Jockey's Ridge State Park in Dare County, Nags Head
13 Township, described in Deed Book 224, Page 790, and Deed Book 224,
14 Page 794, and containing 34,471 square feet as shown on the survey
15 prepared by Styons Surveying Services entitled "Raw Water Well Site 15
16 Jockey's Ridge State Park" dated March 7, 2001, and filed in the State
17 Property Office; and the portion of those certain tracts or parcels of
18 land at Jockey's Ridge State Park in Dare County, Nags Head Township,
19 described in Deed Book 227, Page 501, and Deed Book 230, Page 525, and
20 containing 12,655 square feet as shown on the preliminary plat entitled
21 "Easement Survey for Town of Nags Head" prepared by Seaboard Surveying
22 & Planning, Inc., dated August 29, 2012.

23 (16) All lands and waters located within the boundaries of Mount Jefferson State
24 Natural Area as of ~~May 5, 2009~~, May 6, 2014. With respect to the
25 communications tower site on the top of Mount Jefferson and located on that
26 certain tract or parcel of land at Mount Jefferson State Natural Area in Ashe
27 County, West Jefferson Township, described in Deed Book F-3, Page 94, the
28 State may provide space at the communications tower site to State public
29 safety and emergency management agencies for the placement of antennas,
30 repeaters, and other communications devices for public communications
31 purposes. Notwithstanding G.S. 146-29.2, the State may lease space at the
32 communications tower site to local governments in Ashe County for the
33 placement of antennas, repeaters, and other communications devices for
34 public communications purposes. State agencies and local governments that
35 are authorized to place communications devices at the communications
36 tower site pursuant to this subdivision may also locate at or near the
37 communications tower site communications equipment that is necessary for
38 the proper operation of the communications devices. The use of the
39 communications tower site pursuant to this subdivision is authorized by the
40 General Assembly as a purpose other than the public purposes specified in
41 Article XIV, Section 5, of the North Carolina Constitution, Article 25B of
42 Chapter 143 of the General Statutes, and Article 2C of Chapter 113 of the
43 General Statutes.

44 (17) All lands and waters within the Eno River State Park as of ~~May 5, 2009~~, May
45 6, 2014, with the exception of the following tracts:
46 a. The portion of that certain tract or parcel of land at Eno River State
47 Park in Durham County, Durham Outside Township, described in
48 Deed Book 435, Page 673, and Plat Book 87, Page 66, containing
49 11,000 square feet and being the portion of Lot No. 2 shown as the
50 existing scenic easement hereby removed on the drawing prepared by
51 Sear-Brown entitled "Recombination Plat Eno Forest Subdivision"

1 bearing the preparer's file name 00-208-07.dwg, and filed with State
2 Property Office. The tract excluded from the State Nature and
3 Historic Preserve under this subdivision is deleted from the State
4 Parks System pursuant to G.S. 113-44.14. The State of North
5 Carolina may only exchange this land for other land for the
6 expansion of Eno River State Park or sell this land and use the
7 proceeds for that purpose. The State may not otherwise sell or
8 exchange this land.

9 b. The portion of that certain tract or parcel of land at Eno River State
10 Park in Orange County, described in Deed Book 3878, Page 461, and
11 Plat Book 98, Page 11, containing 5,313 square feet and required for
12 the permanent easements for bridge replacement project B-4216 on
13 SR 1002 (St. Mary's Road), as shown in the drawing entitled
14 "Preliminary Plans, Project Reference No. B-4216" prepared for
15 North Carolina Department of Transportation by Mulkey Engineers
16 and Consultants dated March 10, 2009, and filed with the State
17 Property Office. The tracts excluded from the State Nature and
18 Historic Preserve under this section are deleted from the State Parks
19 System pursuant to G.S. 113-44.14. The State of North Carolina may
20 only exchange this land for other land for the expansion of Eno River
21 State Park or sell this land and use the proceeds for that purpose. The
22 State may not otherwise sell or exchange this land.

23 (18) All land and waters within the boundaries of Hemlock Bluffs State Natural
24 Area as of ~~May 5, 2009~~, May 6, 2014, with the exception of the following
25 tracts: The portion of that certain tract or parcel of land at Hemlock Bluffs
26 State Natural Area in Wake County, Swift Creek Township, described in
27 Deed Book 2461, Page 037, containing 2,025 square feet and being the
28 portion of this tract shown as proposed R/W on the drawing prepared by
29 Titan Atlantic Group entitled "Right of Way Acquisition Map for Town of
30 Cary Widening of Kildaire Farm Road (SR 1300) from Autumgate Drive to
31 Palace Green" sheet 1 of 3 bearing the preparer's file name Town of Cary
32 Case File No. TOC 01-37, dated 26 September 2003, and filed with the State
33 Property Office; and the portion of those certain tracts or parcels of land at
34 Hemlock Bluffs State Natural Area in Wake County, Swift Creek Township,
35 described in Deed Book 4670, Page 420, containing 24,092 square feet and
36 being the portion of these tracts shown as proposed R/W on the drawing
37 prepared by Titan Atlantic Group entitled "Right of Way Acquisition Map
38 for Town of Cary Widening of Kildaire Farm Road (SR 1300) from
39 Autumgate Drive to Palace Green" sheet 3 of 3 bearing the preparer's file
40 name Town of Cary Case File No. TOC 01-37, dated 26 September 2003,
41 and filed with the State Property Office. The tracts excluded from the State
42 Nature and Historic Preserve under this subdivision are deleted from the
43 State Parks System pursuant to G.S. 113-44.14. The State of North Carolina
44 may only exchange this land for other land for the expansion of Hemlock
45 Bluffs State Natural Area or sell this land and use the proceeds for that
46 purpose. The State may not otherwise sell or exchange this land.

47 (19) All lands and waters within the boundaries of Lake James State Park as of
48 ~~May 5, 2009~~, May 6, 2014, with the exception of the following tracts:
49 a. The portion of that certain tract or parcel of land at Lake James State
50 Park containing 13.85 acres, and being 100 feet to the east and 150
51 feet to the west of a centerline shown on a survey by Witherspoon

1 Surveying PLLC, dated February 9, 2007, and filed in the State
2 Property Office. The State of North Carolina may grant a temporary
3 easement to Duke Energy Corporation across this tract to facilitate
4 the Catawba Dam Embankment Seismic Stability Improvements
5 Project. The grant of the easement within Lake James State Park to
6 Duke Energy Corporation under this sub-subdivision constitutes
7 authorization by the General Assembly that the described tract of
8 land may be used for a purpose other than the public purposes
9 specified in Article XIV, Section 5, of the North Carolina
10 Constitution, Article 25B of Chapter 143 of the General Statutes, and
11 Article 2C of Chapter 113 of the General Statutes. The State of North
12 Carolina may use the proceeds from the easement only for the
13 expansion or improvement of Lake James State Park or another State
14 park. The State may not otherwise sell or exchange this land.

15 b. The portion of that certain tract or parcel of land at Lake James State
16 Park in McDowell County, Nebo Township, described in Deed Book
17 377, Page 423, and also shown as Tract B on the plat of survey
18 prepared by Kenneth D. Suttles, RLS, dated December 4, 1987,
19 entitled "Lake James State Park," Sheet 1 of 2, recorded in Plat Book
20 4, Page 275 of the McDowell County Registry, for a 40-foot
21 right-of-way beginning at the southwest corner of Tract B and
22 continuing along the southern boundary 86 38' 51" E for 400 feet to
23 the now or former John D. Walker property. The State of North
24 Carolina may grant an easement across this tract to extinguish
25 prescriptive easements on Tract B to improve management of the
26 State park property. The State may not otherwise sell or exchange
27 this land. The easement excluded from the State Nature and Historic
28 Preserve under this subdivision is deleted from the State Parks
29 System pursuant to G.S. 113-44.14.

30 c. That portion of that certain tract or parcel of land at Lake James State
31 Park in Burke County, Linville Township, described in Deed Book
32 1431, Page 859, and shown on the survey prepared by Suttles
33 Surveying, PA dated May 2, 2014, entitled "Survey for State of
34 North Carolina," containing 3.41 acres and on file with the State
35 Property Office. The tracts excluded from the State Nature and
36 Historic Preserve under this subdivision are deleted from the State
37 Parks System in accordance with G.S. 113-44.14. The State of North
38 Carolina may only exchange this land for other land for the
39 expansion of Lake James State Park or sell this land and use the
40 proceeds for that purpose. The State may not otherwise sell or
41 exchange this land.

42 (20) All lands and waters within the boundaries of Lake Waccamaw State Park as
43 of ~~May 5, 2009~~, May 6, 2014, with the exception of the following tracts: The
44 portions of that certain tract or parcel of land at Lake Waccamaw State Park
45 in Columbus County described in Deed Book 835, Page 590, containing
46 48,210 square feet and being the portion of this tract shown as new R/W and
47 permanent utility easement on drawing prepared by State of North Carolina
48 Department of Transportation entitled "Map of Proposed Right of Way
49 Property of State of North Carolina (Parks and Recreation) Columbus
50 County" for Tip B-3830 on SR 1947 (Bella Coola Road) done by John E.
51 Kaukola, PLS No. 3999 and compiled 1-18-2008, and filed with the State

1 Property Office. The tracts excluded from the State Nature and Historic
2 Preserve under this section are deleted from the State Parks System pursuant
3 to G.S. 113-44.14. The State of North Carolina may only exchange this land
4 for other land for the expansion of Lake Waccamaw State Park or sell this
5 land and use the proceeds for that purpose. The State may not otherwise sell
6 or exchange this land.

7 (21) All lands and waters within the boundaries of Chimney Rock State Park as
8 of ~~May 5, 2009~~, May 6, 2014, with the exception of the following ~~tract~~:
9 tracts: The portion of that certain tract or parcel of land at Chimney Rock State
10 Park in Rutherford County being a portion of Parcel 2 as described in Deed
11 Book 933, Page 598, containing 346 square feet and being shown as
12 proposed right-of-way for bridge replacement project B-4258 on U.S. 64
13 over the Broad River on drawing prepared by Kimley-Horn and Associates
14 for the North Carolina Department of Transportation and revised October
15 26, 2007, and filed with the State Property Office. The portion of that certain
16 tract or parcel of land at Chimney Rock State Park in Polk County, Cooper
17 Gap Township, Deed Book 393, Page 1402, containing 6.5 acres more or
18 less and shown on the survey entitled "Plat of Survey for The State of North
19 Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014, and filed
20 with the State Property Office. The tracts excluded from the State Nature
21 and Historic Preserve under this section are deleted from the State Parks
22 System pursuant to G.S. 113-44.14. The State of North Carolina may only
23 exchange this land for other land for the expansion of Chimney Rock State
24 Park 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 5, 2009~~, May 6, 2014, 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
33 from the State of North Carolina" by McKim & Creed and dated July 31,
34 2008, and revised March 11, 2009. The State of North Carolina may grant an
35 easement to Piedmont Natural Gas Company across this tract to facilitate the
36 transmission of natural gas. The grant of the easement within the
37 Mountains-to-Sea Trail to Piedmont Natural Gas Company under this
38 section constitutes authorization by the General Assembly that the described
39 tract of land may be used for a purpose other than the public purposes
40 specified in Section 5 of Article XIV of the North Carolina Constitution,
41 Article 25B of Chapter 143 of the General Statutes, and Article 2C of
42 Chapter 113 of the General Statutes. The State of North Carolina may use
43 the proceeds from the easement only for the expansion or improvement of
44 the Mountains-to-Sea Trail or another State park. The State may not
45 otherwise sell or exchange this land.

46 (23) All State-owned land and waters within the boundaries of Gorges State Park
47 as of May 6, 2014, with the exception of the following tracts: The portions
48 of that certain tract or parcel of land in Transylvania County, described in
49 Deed Book 267, Page 838, containing a total of 7.26 acres for the North
50 Carolina Department of Transportation project TIP R-2409C US 64 Safety
51 Improvements. As shown on right-of-way drawing from the North Carolina

1 Department of Transportation dated May 22, 2014, for TIP R-2409C, Parcel
2 002, on file with the State Property Office. The tract excluded from the State
3 Nature and Historic Preserve under this subdivision is deleted from the State
4 Parks System in accordance with G.S. 113-44.14. The State of North
5 Carolina may only exchange this land for other land for the expansion of
6 Gorges State Park or sell this land and use the proceeds for that purpose. The
7 State may not otherwise sell or exchange this land.

8 (24) All State-owned land and waters within the boundaries of Lower Haw State
9 Natural Area as of May 6, 2014, with the exception of the following tract:
10 the portion of that certain tract or parcels in Chatham County, described in
11 Deed Book 1319, Page 1047, containing 12,501 square feet and shown on a
12 survey entitled "Recombination Survey for the North Carolina Division of
13 Parks and Recreation and PK Ventures I LTD Partnership" prepared by S.D.
14 Puckett and Associates dated April 22, 2014, and 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 in
17 accordance with G.S. 113-44.14. The State of North Carolina may only
18 exchange this land for other land for the expansion of Lower Haw State
19 Natural Area or sell this land and use the proceeds for that purpose. The
20 State may not otherwise sell or exchange this land.

21 (25) All State-owned land and waters within the boundaries of Lumber River
22 State Park as of May 6, 2014, with the exception of the following tracts: The
23 portions of those certain tracts or parcels of land in Robeson County,
24 described in Deed Book 919, Page 862, Deed Book 1097, Page 837, Deed
25 Book 935, Page 170, Deed Book 1125, Page 562, and Deed Book 1117,
26 Page 680, containing a total of 3.39 acres for the North Carolina Department
27 of Transportation secondary road project 6C.078030 SR 2245 (VC Britt
28 Road) and shown on the survey entitled "Survey of Tracts 1A and 1B, VC
29 Britt Rd, Orrum NC" prepared by the North Carolina Department of
30 Transportation. The tracts excluded from the State Nature and Historic
31 Preserve under this subdivision are deleted from the State Parks System in
32 accordance with G.S. 113-44.14. The State of North Carolina may only
33 exchange this land for other land for the expansion of Lumber River State
34 Park or sell this land and use the proceeds for that purpose. The State may
35 not otherwise sell or exchange this land.

36 (26) All State-owned land and waters within the boundaries of Mitchells
37 Millpond State Natural Area as of May 6, 2014, with the exception of the
38 following tract: the portions of that certain tract or parcel in Wake County,
39 described in Deed Book 2445, Page 62, containing approximately 0.215
40 acres as shown on the right-of-way plan for SR 2224 (Mitchell Mill Road)
41 bridge No. 162 replacement project and on file with the State Property
42 Office. The tract excluded from the State Nature and Historic Preserve under
43 this subdivision is deleted from the State Parks System in accordance with
44 G.S. 113-44.14. The State of North Carolina may only exchange this land for
45 other land for the expansion of the State Parks system or sell this land and
46 use the proceeds for that purpose. The State may not otherwise sell or
47 exchange this land."

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