

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

FILED SENATE  
Feb 28, 2017  
S.B. 140  
PRINCIPAL CLERK

S

D

SENATE BILL DRS45116-MHx-45 (02/10)

Short Title: Revise State Nature and Historic Preserve. (Public)

Sponsors: Senator Hise (Primary Sponsor).

Referred to:

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.

4 The General Assembly of North Carolina enacts:

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

6 "§ 143-260.10. Components of State Nature and Historic Preserve.

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

9 ...

10 (21) All lands and waters within the boundaries of Chimney Rock State Park as of  
11 ~~May 6, 2014,~~ April 4, 2017, with the exception of the following tracts:

12 a. The portion of that certain tract or parcel of land at Chimney Rock State  
13 Park in Rutherford County being a portion of Parcel 2 as described in  
14 Deed Book 933, Page 598, containing 346 square feet and being shown  
15 as proposed right-of-way for bridge replacement project B-4258 on U.S.  
16 64 over the Broad River on drawing prepared by Kimley-Horn and  
17 Associates for the North Carolina Department of Transportation and  
18 revised October 26, 2007, and filed with the State Property Office. The  
19 portion of that certain tract or parcel of land at Chimney Rock State  
20 Park in Polk County, Cooper Gap Township, Deed Book 393, Page  
21 1402, containing 6.5 acres more or less and shown on the survey  
22 entitled "Plat of Survey for The State of North Carolina" prepared by  
23 Stacy Kent Rhodes dated May 15, 2014, and filed with the State  
24 Property Office. The tracts excluded from the State Nature and Historic  
25 Preserve under this section are deleted from the State Parks System  
26 pursuant to G.S. 143B-135.54. The State of North Carolina may only  
27 exchange this land for other land for the expansion of Chimney Rock  
28 State Park or sell this land and use the proceeds for that purpose. The  
29 State may not otherwise sell or exchange this land.

30 b. With respect to the communications tower site on Chimney Rock  
31 Mountain located on a portion of that certain tract or parcel of land at  
32 Chimney Rock State Park in Rutherford County, Chimney Rock  
33 Township, described in Deed Book 933, Page 598, the State may  
34 provide space at the communications tower site to State public safety,  
35 emergency management, local governments in Rutherford County, and  
36 public television agencies for the placement of antennas, repeaters, and



\* D R S 4 5 1 1 6 - M H X - 4 5 \*

1                   other communications devices for public communications purposes.  
2                   State agencies and local governments that are authorized to place  
3                   communications devices at or near the communications tower site  
4                   pursuant to this subdivision may also locate at or near the  
5                   communications tower site communications equipment necessary for  
6                   the proper operation of the communications devices. The use of the  
7                   communications tower site pursuant to this subdivision is authorized by  
8                   the General Assembly as a purpose other than the public purposes  
9                   specified in Section 5 of Article XIV of the North Carolina Constitution,  
10                   Article 25B of Chapter 143 of the General Statutes, and Article 2C of  
11                   Chapter 113 of the General Statutes.

12                   ...."

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