

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 276  
HOUSE BILL 111

AN ACT TO ESTABLISH THE TITLE TO CERTAIN LANDS RAISED FROM  
NAVIGABLE WATERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 146-6 is amended as follows:

(1) by adding a new sentence at the end of subsection (b) to read:

"Title to land so raised, however, does not vest in the State if the land was raised within the bounds of a conveyance made by the State Board of Education, which included regularly flooded estuarine marshlands or lands beneath navigable waters, or if the land was raised under permits issued to private individuals pursuant to G.S. 113-229, G.S. 113A-100 through -128, or both."; and

(2) by adding a new subsection to read:

"(f) Notwithstanding the other provisions of this section, the title to land in or immediately along the Atlantic Ocean raised above the mean high water mark by publicly financed projects which involve hydraulic dredging or other deposition of spoil materials or sand vests in the State. Title to such lands raised through projects that received no public funding vests in the adjacent littoral proprietor. All such raised lands shall remain open to the free use and enjoyment of the people of the State, consistent with the public trust rights in ocean beaches, which rights are part of the common heritage of the people of this State."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 30th day of May, 1985.