

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 478
HOUSE BILL 815

AN ACT AUTHORIZING VARIOUS COUNTIES TO ASSIST THOROUGHFARE
PLAN IMPLEMENTATION.

The General Assembly of North Carolina enacts:

Section 1. A county may expend funds, not otherwise limited as to use by law, and may exercise the power of eminent domain, following procedures authorized to counties by general law, for the purpose of acquiring land or rights-of-way for thoroughfare construction and improvement projects which have been included in:

- (1) A Department of Transportation annual construction program or a multiyear transportation improvement program;
- (2) A roadway corridor official map adopted by the Board of Transportation or a municipal governing board;
- (3) A comprehensive street system plan, collector street plan, or thoroughfare plan adopted by local governments or their planning agencies; or
- (4) A transportation improvement plan adopted by a metropolitan planning organization.

Sec. 2. A county may accept donations and dedications of land or rights-of-way for the construction and improvement of streets, highways, or other thoroughfares included in the official plans and programs listed in Section 1 of this act.

Sec. 3. A county may, pursuant to the authority of G.S. 160A-461, for interlocal undertakings, enter into agreements with municipal governments in the county to provide funding assistance to them for the purpose of acquiring land or rights-of-way for the design, construction, or improvement of streets, highways, or other thoroughfares included in the official plans or programs listed in Section 1 of this act.

Sec. 4. Any land or rights-of-way acquired by a county, pursuant to this act, shall, prior to use for street, highway, or thoroughfare construction or improvement, be transferred to the governmental agency (Department of Transportation or municipality) which is carrying out the construction or improvement.

Sec. 5. Nothing in this act shall be construed to authorize a county to undertake actual construction or improvement of streets, highways, or thoroughfares.

Sec. 5.1. This act applies only to Burke, Cabarrus, and Mecklenburg Counties.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives