

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 638
HOUSE BILL 2029

AN ACT RELATING TO THE REGULATION OF SUBDIVISIONS IN ROBESON
COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 535 of the 1987 Session Laws, as amended by Chapter 131 of the 1993 Session Laws, reads as rewritten:

"Section 1. For purposes of Part 2 of Article 18 of Chapter 153A of the General Statutes, 'subdivision' means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions, for the purpose, whether immediate or future of sale or building development and shall include all divisions of land involving the dedication of a new street or a change in existing street; provided, however, that the following shall not be included within this definition nor be subject to the regulations authorized by Part 2, Article 18 of Chapter 153A of the General Statutes: ~~Statutes;~~ provided that the grantor of any land who by deed subdivides the land other than by recorded subdivision plat shall include in the deed a statement as to why the subdivision is exempt from these regulations by reference to one or more of the following sections:

- (1) The combination or recombination of portions of previously recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision ~~regulations;~~ regulations and the combination or recombination does not change or alter the location of a public or private road as shown on a plat previously recorded in the Robeson County Register of Deeds;
- (2) The public acquisition by purchase of strips of land for the widening or opening of streets;
- (3) The conveyance of a lot or tract to a grantee who would have been an heir of the grantor if the grantor had died intestate immediately prior to the conveyance, provided that grantor has not previously conveyed a lot or tract of land to the grantee from the same tract or parcel of land, unless the conveyance results in a combination or a recombination as provided for above in number one;
- (4) The conveyance of a lot or tract for the purpose of dividing lands among the tenants in common, all of whom inherited by intestacy or by will, the land from a common ancestor;
- (5) The division of land into parcels of ~~five-two and one-half~~ two and one-half acres or more where the grantor records a road right-of-way agreement prior to

or simultaneously with the recording of the deed, which said agreement provides for access to the parcel by a right-of-way of at least 45 feet in width and contains an agreement for construction and maintenance of the road;

- (5a) ~~The division of land into parcels of two and one-half acres or more for the purpose of conveying land to a grantee or grantees within any degree of lineal kinship to the grantor or within three degrees of collateral kinship to the grantor where the grantor records a road right-of-way agreement prior to or simultaneously with the recording of the deed, which said deed agreement provides for access to the parcel by a right-of-way of at least 45 feet in width and contains an agreement for construction and maintenance of the road.~~
- (6) The division of land pursuant to an Order of the General Court of Justice;
- (7) The division of land for cemetery lots or burial plots;
- (8) The conveyance of a tract or parcel of land of at least 20,000 square feet exclusive of State right-of-way for a road with at least 100 feet frontage upon a State-maintained road; as well as a driveway permit previously issued by the Department of Transportation along the 100 foot frontage and a means of sewage disposal by a previously issued permit from the Division of Environmental Management or the Robeson County Health Department; and
- (9) The conveyance of a tract or parcel of land when compliance with Subdivision Ordinance would cause a serious financial hardship on grantor in accordance with standards and procedures to be set out in Subdivision Ordinance proposed to be adopted pursuant to Part 2 of Article 18 of Chapter 153A of the General Statutes."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of July,

1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives