

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 14

Short Title: Condemnation Contributions.

(Public)

Sponsors: Representative Gamble.

Referred to: Judiciary I.

February 1, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY
CONTRIBUTE TO IMPROVEMENTS TO PRIVATE PROPERTY REQUIRED
BY ROAD CONSTRUCTION PROJECTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 136 of the General Statutes is amended by adding a new
section to read:

"§ 136-112.1. Contribution towards improvements.

Whenever the Department of Transportation determines, as part of planning for a
project, that certain improvements to private property must be made, such as driveways,
culverts, or bridges, in connection with a highway project and during the negotiation
process for taking of land subject to condemnation, the property owner proposes an
alternative to provide the improvement that would meet the needs of the project and
better meet the needs of the owner, the Department shall pay to the owner, who shall
construct the improvement to the Department's satisfaction, the funds that were
scheduled to pay for the improvement first proposed by the Department. The amount
paid by the Department for the improvement shall not be considered a part of the award
in any condemnation action."

Sec. 2. This act is effective upon ratification.