

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 41
Feb 3, 2025
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10031-LMx-24

Short Title: Lincoln/Catawba Common Boundary Line. (Local)

Sponsors: Representative Rhyne.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO KEEP THE COMMON BOUNDARY LINE BETWEEN LINCOLN COUNTY AND CATAWBA COUNTY AS THE CURRENTLY RECOGNIZED COMMON BOUNDARY LINE THAT IS USED BY THE COUNTIES FOR TAXATION PURPOSES AND REFLECTED IN THE COUNTIES' GEOGRAPHIC INFORMATION SYSTEMS MAPS.

The General Assembly of North Carolina enacts:

SECTION 1. The legal boundary line between Lincoln County and Catawba County shall be the recognized common boundary line used by Lincoln County and Catawba County for taxation purposes and reflected in the counties' geographic information systems maps.

SECTION 2. Any completed county boundary survey delivered by the North Carolina Geodetic Survey in accordance with Article 3 of Chapter 153A of the General Statutes in 2024 that is not consistent with Section 1 of this act shall not be binding upon Lincoln County and Catawba County and shall not be used by Lincoln County or Catawba County as a common boundary between the counties.

SECTION 3. Notwithstanding any provision of Article 3 of Chapter 153A of the General Statutes, not later than 42 months after the date this act becomes effective, North Carolina Geodetic Survey (NCGS) or its contractors shall locate, survey, mark, and map the boundary line described in Section 1 of this act in the manner provided in G.S. 153A-18. Lincoln County shall pay the full cost of the work performed by NCGS or its contractors. Upon completion of the survey, NCGS shall cause the survey plat to be recorded in the office of the register of deeds of each county in the manner provided by law for the recordation of maps or plats and in the Secretary of State's office.

SECTION 4. On and after the effective date of this act, all papers, documents, and instruments required or permitted to be filed or registered related to residents or property shall be filed in the county in which the property is located pursuant to the boundary described in Section 1 of this act despite the fact that papers, documents, and instruments required or permitted to be filed or registered with respect to such residents or property may have been previously recorded in the other county.

SECTION 5. All public records related to residents and property located in areas affected by the establishment of the boundary line in Section 1 of this act that were filed or recorded prior to the effective date of this act in the adjoining county shall remain in the respective adjoining county where filed or recorded, and such records shall be valid public records as to the property and persons involved, even though they are recorded in an adjoining county where the property is not located as evidenced by the boundary described in Section 1 of this act.



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1 **SECTION 6.** The establishment of a county boundary line is, pursuant to Section 1
2 of Article VII of the North Carolina Constitution, the responsibility of the General Assembly.
3 Further, it is vital to the State of North Carolina and all affected local governments that county
4 boundary lines be fixed and any uncertainty as to the location of county boundary lines be
5 resolved. For this reason and in the interest of justice, neither Lincoln County nor Catawba
6 County, nor any agent, employee, or appointed or elected official thereof, shall be liable to any
7 individual, group, organization, for-profit or not-for-profit business entity of any kind, or
8 governmental entity or agency of any type or kind for any damages, costs, fees, or fines, and no
9 court action shall be maintained against said counties, officials, employees, and agents for any
10 recommendation, act, failure to act, or conduct related to the provisions of this act and/or the
11 adoption of a fixed boundary line separating the two counties. Lincoln County and Catawba
12 County and their officials, employees, and agents are released from all liability for any claims
13 made, and no court action shall be maintained against said officials, employees, and agents for
14 any act or failure to act pursuant to the terms of this act.

15 **SECTION 7.** This act is effective when it becomes law.