GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

SESSION LAW 2003-364
HOUSE BILL 751

AN ACT RELATING TO THE TITLE TO EXISTING LAND AND THE LAND BUILT UP AND CONSTRUCTED IN THE TOWN OF KITTY HAWK IN THE COUNTY OF DARE AS A RESULT OF CERTAIN EROSION CONTROL WORK IN SAID TOWN AND ANNEXING A TRACT TO THE CORPORATE LIMITS OF THAT TOWN.

The General Assembly of North Carolina enacts:

SECTION 1. The following tract of land is hereby granted and conveyed by the State of North Carolina to the Town of Kitty Hawk in fee simple without reservation of any public trust rights:

All that certain tract or parcel of land lying and being on the Atlantic Ocean in the Town of Kitty Hawk, Atlantic Township, Dare County, North Carolina, bounded on the North by a parcel of land owned by Vincent R. Mascitti et ux, bounded on the East by the mean lower low water mark of the Atlantic Ocean, bounded on the South by a parcel of land owned by Pelican Perch, L.L.C., and bounded on the West by the East right-of-way margin of North Carolina Highway 12, also known as Virginia Dare Trail, and more particularly described as follows:

All that certain tract or parcel of land which now exists or after the completion of the Project will exist within the following boundaries: between the East right-of-way margin of North Carolina Highway 12, otherwise known as Virginia Dare Trail, and the mean lower low water mark of the Atlantic Ocean; and between the North boundary line of that certain lot or parcel lying in the Town of Kitty Hawk, Atlantic Township, Dare County, North Carolina, and known and designated as Lot No. 13 of the Kitty Hawk Beach Terrace Subdivision, as shown and delineated on a map or plat of said subdivision made by J. L. Liverman, Registered Surveyor, dated June, 1946 and recorded in Map Book 1, Page 159, of the Dare County Registry, and as more particularly described in that certain deed from Janet L. Verscharen to Joseph W. Verscharen, dated June 26, 1995, and recorded in Book 1001, Page 892, of the Dare County Registry, and the South boundary line of that certain lot or parcel of land lying in the Town of Kitty Hawk, Atlantic Township, Dare County, North Carolina, and located at 3955 North Virginia Dare Trail, and more particularly described as Tract IV in that certain deed from A. Toby Hedgepeth et ux, to Hedgepeth Enterprises, dated August 10, 1983, recorded in Book 352, Page 854, of the Dare County Registry.

SECTION 2. The State of North Carolina shall execute and deliver to the Town of Kitty Hawk a deed in recordable form for the property conveyed by Section 1 of this act.

SECTION 3. The corporate limits of the Town of Kitty Hawk are extended to include the tract described in Section 1 of this act.

SECTION 4. The grant and conveyance in Section 1 of this act includes all future made, constructed, or created land in the tract described in Section 1 of this act.

SECTION 5. The Town of Kitty Hawk shall maintain the tract described in Section 1 of this act for public use and benefit.

SECTION 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of July, 2003.

s/ Beverly E. Perdue
President of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 10:38 a.m. this 1st day of August, 2003