

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 973

Short Title: Condominium Act/Plats and Plans.

(Public)

Sponsors: Representative R. Hunter.

Referred to: Judiciary.

March 31, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE CERTIFICATION OF A REGISTERED LAND SURVEYOR THAT THE PLATS OR PLANS OF THE CONDOMINIUM ARE ACCURATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 47C-2-109(b) reads as rewritten:

"(b) Each plat or plan or combination thereof must show:

- (1) The name and a survey or general schematic map of the entire condominium;
- (2) The location and dimensions of all real estate not subject to development rights or subject only to the development right to withdraw and the location and dimensions of all existing improvements within that real estate;
- (3) The location and dimensions of any real estate subject to development rights, labeled to identify the rights applicable to each parcel;
- (4) The extent of any encroachments by or upon any portion of the condominium;
- (5) The location and dimensions of all easements having specific location and dimensions and serving or burdening any portion of the condominium;
- (6) The verified statement of an architect licensed under the provisions of Chapter 83 (83A) of the General Statutes or an engineer registered under the provisions of Chapter 89C of the General Statutes certifying that such plats or plans fully and accurately depict the layout, location,

- 1 ceiling and floor elevations, unit numbers and dimensions of the units,
2 as built;
- 3 (6a) The certificate by a registered land surveyor licensed under the
4 provisions of Chapter 89C of the General Statutes stating that the plats
5 or plans accurately depict the legal boundaries and the physical
6 location of the units and other improvements relative to those
7 boundaries.
- 8 (7) The locations and dimensions of limited common elements; however,
9 parking spaces and the limited common elements described in
10 subsections 47C-2-102(2) and (4) need not be shown, except for decks,
11 stoops, porches, balconies, and patios;
- 12 (8) A legally sufficient description of any real estate in which the unit
13 owners will own only an estate for years, labeled as 'leasehold real
14 estate';
- 15 (9) The distance between noncontiguous parcels of real estate comprising
16 the condominium;
- 17 (10) Any unit in which the declarant has reserved the right to create
18 additional units or common elements."
- 19 Sec. 2. This act shall become effective August 1, 1989, and applies to all
20 plats and plans filed with the register of deeds on or after that date.