

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

4

HOUSE BILL 787
Committee Substitute Favorable 5/12/05
Committee Substitute #2 Favorable 5/26/05
Committee Substitute #3 Favorable 6/1/05

Short Title: Omnibus Local Laws.

(Local)

Sponsors:

Referred to:

March 17, 2005

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE PAYMENT OF DELINQUENT TAXES IN ASHE COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES; TO PROVIDE THAT BUNCOMBE, GREENE, LENOIR, IREDELL, WAYNE, AND YADKIN COUNTIES MAY PROHIBIT ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER; TO CLARIFY THE AREA COVERED BY THE NO-WAKE ZONE ESTABLISHED FOR THE TOWN OF CEDAR POINT; TO PROHIBIT HUNTING ON THE LAND OF ANOTHER WITHOUT THE WRITTEN PERMISSION OF THE OWNER OR LESSEE IN CHOWAN COUNTY; AND TO AUTHORIZE THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY BY PRIVATE SALE OR TRADE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 1 of Chapter 657 of the 1993 Session Laws, as amended by Section 9 of S.L. 1997-410, reads as rewritten:

"**Section 1.** The ~~Registers-Register~~ of Deeds of ~~Alleghany and Ashe Counties~~County shall not receive for recordation any deed unless the deed is accompanied by a certificate from the Ashe County Tax Collector and any municipal tax collector, where applicable, to the effect that all delinquent taxes upon the property described in the deed offered for recordation have been paid."

SECTION 1.(b) This section applies to Alleghany County and Ashe County only.

SECTION 2.(a) G.S. 153A-357 is amended by adding a new subsection to read:

"(c) A county may by ordinance provide that a permit may not be issued under subsection (a) of this section to a person who owes delinquent property taxes, determined under G.S. 105-360, on property owned by the person. Such ordinance may

1 provide that a building permit may be issued to a person protesting the assessment or
2 collection of property taxes."

3 **SECTION 2.(b)** This section applies to Buncombe, Greene, Lenoir, Iredell,
4 Wayne, and Yadkin Counties only.

5 **SECTION 3.** Section 1 of S.L. 2001-65 reads as rewritten:

6 "SECTION 1. It is unlawful to operate a vessel at greater than no-wake speed on the
7 waters of the Intracoastal Waterway ~~within the corporate limits of~~ between Waterway
8 Marker 44 and Waterway Marker 46B in the area abutting the Town of Cedar Point and
9 the Town's extraterritorial jurisdiction under G.S. 160A-360.Point."

10 **SECTION 4.(a)** Section 2 of Chapter 868 of the 1986 Session Laws, as
11 amended by S.L. 2004-60, reads as rewritten:

12 "Sec. 2. It is unlawful to ~~hunt with or~~ hunt, take, or kill a wild animal or wild bird, or
13 to attempt to hunt, take, or kill a wild animal or wild bird on the land of another unless
14 the hunter has, on his or her person, the written permission of the owner or lessee of the
15 land. It is unlawful to possess any center-fire rifle on the land of another or to discharge
16 any center-fire rifle on, over, or across the land of another unless the hunter has, on his
17 or her person, the written permission of the owner or lessee of the land. The written
18 permission required by this section shall be dated and may be valid for no more than
19 one year."

20 **SECTION 4.(b)** This section applies to Chowan County only.

21 **SECTION 5.(a)** Section 2(b) of S.L. 2004-60 reads as rewritten:

22 "SECTION 2.(b) Violation of this section is punishable as ~~a Class 3 misdemeanor~~
23 provided for in G.S. 113-135.1(a)."

24 **SECTION 5.(b)** This section applies to Chowan County only.

25 **SECTION 6.(a)** Notwithstanding Article 12 of Chapter 160A of the General
26 Statutes, the Town of Kernersville may convey by private negotiation and sale or trade,
27 with or without monetary consideration, any or all of its right, title, and interest in the
28 following described properties:

29 **PROPERTY I**

30 That property consisting of approximately 30 acres, more or less, as described in
31 Forsyth County Registry Deed Book 764, at page 292; and more particularly described
32 as follows:

33 "Being all of that certain 30.028 acre tract of land lying in Abbotts Creek Township,
34 Forsyth County, North Carolina; and bounded by natural boundaries and/or lands owned
35 by and/or in possession of persons, as follows: on the north and east by Stephen E.
36 Dotson, on the south by Edith B. Schulz and Mary B. Shropshire, and on the west by
37 Arbor Development Corporation; as tract being particularly described by courses
38 (according to the North Carolina Grid System as determined by solar observations) and
39 distances according to a survey and plat prepared by the Town of Kernersville
40 Engineering Department, Division of Public Works, under the seal of H. Stephen
41 Bowers Professional Land Surveyor No. L-2455, dated May 2, 1986, and revised April
42 5, 2005, to which reference is hereby made, as follows:

43 BEGINNING at a 1" outside diameter found existing iron pipe, 3" high, the
44 northwesterly corner of Mary Ruth B. Shropshire and husband Donald G. Shropshire

1 (see Deed Book 1840 Page 622 of the Forsyth County Registry), in the easterly line of
2 Arbor Development Corporation (see Deed Book 1513 Page 806 of said Registry); said
3 iron pipe having N.C. grid coordinates of North 844,495.89 (feet) and East 1,680,885.63
4 (feet) as per the North American Datum of 1983, as taken from survey from North
5 Carolina Geodetic Station and horizontal control monument "UNION CROSS;" thence
6 with the easterly line of said Arbor Development Corporation North 1 Degrees, 27
7 Minutes, 35 Seconds East, 1387.76 feet, to a 1 ¼" outside diameter found existing iron
8 pipe, 6" high, the southwesterly corner of Stephen E. Dotson and wife Sandra C. Dotson
9 (see Deed Book 1689 Page 224 of said Registry); thence with the southerly line of said
10 Stephen E. Dotson and wife Sandra C. Dotson South 88 Degrees, 30 Minutes, 30
11 Seconds East, 923.08 feet, to a 1 ¼" outside diameter found existing iron pipe, 5" high,
12 the northwesterly corner of other lands of said Stephen E. Dotson and wife Sandra C.
13 Dotson (see now Deed Book 2452 Page 4397, "TRACT 1," of said Registry); thence
14 with the westerly line of said Stephen E. Dotson and wife Sandra C. Dotson South 1
15 Degrees, 28 Minutes, 30 Seconds West, 1446.89 feet, to a found existing stone with
16 new cut cross, 5" by 12 top, 6" high, painted yellow, the northwesterly and northeasterly
17 corner, respectively, of Donald Davis and wife Helen S. Davis (see Deed Book 1664
18 Page 981 of said Registry), and Edith B. Schulz and W. Bradford Schulz co-trustees or
19 successor trustees for the benefit of Edith B. Schulz Living Trust (see Deed Book 1961
20 Page 2962 of said Registry); thence with the northerly line of said Edith B. Schulz and
21 falling in with the northerly line of said Mary Ruth B. Shropshire and husband Donald
22 G. Shropshire North 84 Degrees, 50 Minutes, 30 Seconds West, 924.62 feet, to the
23 BEGINNING said 1" outside diameter found existing iron pipe, 3" high.

24 FOR REFERENCE SEE: that deed recorded in Deed Book 764 at Page 292 of the
25 Forsyth County Registry;

26 The above described 30.028 acre tract is generally known and designated as being all of
27 tax lot 1 of tax block 5629 of Forsyth County Tax Maps as presently constituted."

PROPERTY II

29 That property consisting of approximately 1.566 acres more or less and denoted as Lot
30 Two on the plat recorded in Plat Book 48, Page 116 of the Forsyth County Registry.

31 **SECTION 6.(b)** The Town of Kernersville shall use the property described
32 in subsection (a) of this section for a public purpose that stimulates the local economy
33 and promotes business in the Town of Kernersville, including the location of new or
34 expanded service or industrial facilities, manufacturing, assembly, fabrication,
35 processing, warehousing, research and development, office use or use as a shell
36 business, or a new business incubator. The Town of Kernersville may lease, subdivide,
37 mortgage, sell, trade, or convey the property for any public purpose authorized in this
38 act.

39 **SECTION 6.(c)** This section applies to the Town of Kernersville only.

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