

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

**SESSION LAW 2002-86  
HOUSE BILL 1492**

AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT, AND TO DESIGNATE INTERSTATE HIGHWAY 95 AS THE PURPLE HEART MEMORIAL HIGHWAY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-44.7(c) reads as rewritten:

"(c) When it is necessary for the Department of Transportation to acquire a right-of-way in accordance with (a) and (b) of this section in order to pave a secondary road or undertake a maintenance project, the Department shall negotiate the acquisition of the right-of-way for a period of up to six months. At the end of that period, if one or more property owners have not dedicated the necessary right-of-way and at least seventy-five percent (75%) of the property owners adjacent to the project and the owners of ~~seventy-five percent (75%)~~ the majority of the road frontage adjacent to the project have dedicated the necessary property for the right-of-way and have provided funds required by Department rule to the Department to cover the costs of condemning the remaining property, the Department shall initiate condemnation proceedings pursuant to Article 9 of this Chapter to acquire the remaining property necessary for the project."

**SECTION 2.(a)** Chapter 136 of the General Statutes is amended by adding a new section to read:

**"§ 136-18.5A. Purple Heart Memorial Highway.**

Interstate Highway 95 in North Carolina is designated as the 'Purple Heart Memorial Highway' to pay tribute to the many North Carolinians who have been awarded the Purple Heart medal after being wounded or killed in action against the enemy."

**SECTION 2.(b)** The Department of Transportation shall, with the assistance of the Military Order of the Purple Heart and the Division of Veterans Affairs, design and place appropriate signage on Interstate Highway 95 at suitable locations, consistent with State and federal regulations, near the South Carolina and Virginia borders and at the intersection of Interstate Highway 40, implementing Section 2(a) of this act.

**SECTION 2.(c)** The Department of Transportation shall calculate the costs of designing and placing the signs required by Section 2(b) of this act, and the Military Order of the Purple Heart shall pay those costs to the Department prior to the erection of the signs.

**SECTION 3.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 14<sup>th</sup> day of August, 2002.

s/ Beverly E. Perdue  
President of the Senate

s/ James B. Black  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 10:31 p.m. this 22<sup>nd</sup> day of August, 2002