

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 140
Second Edition Engrossed 4/4/17

Short Title: Revise State Nature and Historic Preserve. (Public)

Sponsors: Senators Hise (Primary Sponsor); and Rabin.

Referred to: Rules and Operations of the Senate

March 1, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE INSTALLATION OF A PUBLIC SAFETY
3 TELECOMMUNICATIONS FACILITY IN CHIMNEY ROCK STATE PARK.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 143-260.10 reads as rewritten:

6 "**§ 143-260.10. Components of State Nature and Historic Preserve.**

7 The following are components of the State Nature and Historic Preserve accepted by the
8 North Carolina General Assembly pursuant to G.S. 143-260.8:

9 ...

10 (21) All lands and waters within the boundaries of Chimney Rock State Park as
11 of ~~May 6, 2014~~, May 2, 2017, with the exception of the following tracts:

12 a. The portion of that certain tract or parcel of land at Chimney Rock
13 State Park in Rutherford County being a portion of Parcel 2 as
14 described in Deed Book 933, Page 598, containing 346 square feet
15 and being shown as proposed right-of-way for bridge replacement
16 project B-4258 on U.S. 64 over the Broad River on drawing prepared
17 by Kimley-Horn and Associates for the North Carolina Department
18 of Transportation and revised October 26, 2007, and filed with the
19 State Property Office. The portion of that certain tract or parcel of
20 land at Chimney Rock State Park in Polk County, Cooper Gap
21 Township, Deed Book 393, Page 1402, containing 6.5 acres more or
22 less and shown on the survey entitled "Plat of Survey for The State of
23 North Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014,
24 and filed with the State Property Office. The tracts excluded from the
25 State Nature and Historic Preserve under this section are deleted
26 from the State Parks System pursuant to G.S. 143B-135.54. The State
27 of North Carolina may only exchange this land for other land for the
28 expansion of Chimney Rock State Park or sell this land and use the
29 proceeds for that purpose. The State may not otherwise sell or
30 exchange this land.

31 b. With respect to the communications tower site on Chimney Rock
32 Mountain located on a portion of that certain tract or parcel of land at
33 Chimney Rock State Park in Rutherford County, Chimney Rock
34 Township, described in Deed Book 933, Page 598, the State may
35 provide space at the communications tower site to State public
36 safety, emergency management, local governments in Rutherford



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1 County, and public television agencies for the placement of antennas,
2 repeaters, and other communications devices for public
3 communications purposes. State agencies and local governments that
4 are authorized to place communications devices at or near the
5 communications tower site pursuant to this subdivision may also
6 locate at or near the communications tower site communications
7 equipment necessary for the proper operation of the communications
8 devices. The use of the communications tower site pursuant to this
9 subdivision is authorized by the General Assembly as a purpose other
10 than the public purposes specified in Section 5 of Article XIV of the
11 North Carolina Constitution, Article 25B of Chapter 143 of the
12 General Statutes, and Article 2C of Chapter 113 of the General
13 Statutes.

14 "

15 **SECTION 2.** This act is effective when it becomes law.