

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 131
HOUSE BILL 163

AN ACT TO MODIFY THE DEFINITION OF A "SUBDIVISION" FOR THE PURPOSE OF SUBDIVISION REGULATION IN ROBESON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 535 of the 1987 Session Laws reads as rewritten:

"Section 1. For purposes of Part 2 of Article 18 of Chapter 153A of the General Statutes, 'subdivision' means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions, for the purpose, whether immediate or future of sale or building development and shall include all divisions of land involving the dedication of a new street or a change in existing street; provided, however, that the following shall not be included within this definition nor be subject to the regulations authorized by Part 2, Article 18 of Chapter 153A of the General Statutes:

(1) The combination or recombination of portions of previously recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision regulations;

(2) The public acquisition by purchase of strips of land for the widening or opening of streets;

(3) The conveyance of a lot or tract to a grantee who would have been an heir of the grantor if the grantor had died intestate immediately prior to the conveyance, provided that grantor has not previously conveyed a lot or tract of land to the grantee from the same tract or parcel of land, unless the conveyance results in a combination or a recombination as provided for above in number one;

(4) The conveyance of a lot or tract for the purpose of dividing lands among the tenants in common, all of whom inherited by intestacy or by will, the land from a common ancestor;

(5) The division of land into parcels of five acres or more where the grantor records a road right-of-way agreement prior to or simultaneously with the recording of the deed, which said agreement provides for access to the parcel by a right-of-way of at least ~~30 feet~~ 45 feet in width and contains an agreement for construction and maintenance of the road;

(5a) The division of land into parcels of two and one-half acres or more for the purpose of conveying land to a grantee or grantees within any degree of lineal kinship to the grantor or within three degrees of collateral kinship to the grantor where the grantor records a road right-of-way agreement prior to or simultaneously with the recording of the deed, which said deed agreement provides for access to the parcel by a right-of-way

of at least 45 feet in width and contains an agreement for construction and maintenance of the road.

- (6) The division of land pursuant to an Order of the General Court of Justice;
- (7) The division of land for cemetery lots or burial plots;
- (8) The conveyance of a tract or parcel of land of at least 20,000 square feet exclusive of State right-of-way for road with at least 100 feet frontage upon a State-maintained road;
- (9) The conveyance of a tract or parcel of land when compliance with Subdivision Ordinance would cause a serious financial hardship on grantor in accordance with standards and procedures to be set out in Subdivision Ordinance proposed to be adopted pursuant to Part 2 of Article 18 of Chapter 153A of the General Statutes."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of June, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives