

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

**SESSION LAW 2004-46  
HOUSE BILL 1724**

**AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT AND  
PITT COUNTIES.**

The General Assembly of North Carolina enacts:

**SECTION 1.** S.L. 1997-246 and S.L. 2001-50, as those acts amend G.S. 153A-335 and G.S. 160A-376 as applicable to Harnett County and the municipalities in Harnett County, are repealed.

**SECTION 2.** G.S. 153A-335, as it applies to Pitt County, reads as rewritten:  
**"§ 153A-335. "Subdivision" defined.**

For purposes of this Part, "subdivision" means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this Part:

- (1) The combination or recombination of portions of previously subdivided and recorded lots if 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 division of land into parcels greater than 10 acres if no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for widening or opening streets or for public transportation system corridors; ~~and~~
- (4) The division of a tract in single ownership the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision ~~regulations, regulations;~~
- (5) The division of a tract among heirs of a deceased person as part of the settlement of the deceased person's estate by action of a will or other legal proceeding; and
- (6) The division of land by any method of transfer from a grantor to a grantee (or grantees) who is a member of the grantor's immediate family, solely for the residential use of the grantee (or grantees). For the purposes of this section, the term "immediate family" shall include only direct lineal descendants (children and grandchildren) and direct lineal ascendants (father, mother, grandfather, and grandmother)."

**SECTION 3.** Section 1 of this act applies to Harnett County and the municipalities in Harnett County only. Section 2 of this act applies to Pitt County only.

**SECTION 4.** Section 1 of this act becomes effective January 1, 2005. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30<sup>th</sup> day of June, 2004.

s/ Beverly E. Perdue  
President of the Senate

s/ Richard T. Morgan  
Speaker of the House of Representatives