

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

**SESSION LAW 2008-80  
HOUSE BILL 2364**

AN ACT TO AUTHORIZE THE ENCROACHMENT OF AIR SPACE ABOVE  
STATE ROAD 1100, RIVER ROAD, IN THE CITY OF WILMINGTON FOR  
THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Department of Transportation is hereby authorized to permit private use and encroachment upon the air space above State Road 1100, River Road, in the City of Wilmington, for the purpose of construction of a material conveyance system, provided in the opinion of the Department of Transportation, such material conveyance system will not unreasonably interfere with or impair the property rights or easements of abutting owners nor unreasonably interfere with or obstruct the public use of State Road 1100, River Road. This encroachment shall be subject to all other rules, regulations, and conditions of the Department of Transportation for encroachments. The location, plans, and specifications for the material conveyance system shall be approved by the Department.

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

In the General Assembly read three times and ratified this the 7<sup>th</sup> day of July, 2008.

s/ Beverly E. Perdue  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 12:00 p.m. this 11<sup>th</sup> day of July, 2008