

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SESSION LAW 2018-103
HOUSE BILL 1004

AN ACT TO MAKE CHANGES TO A LOCAL ACT FOR THE TOWN OF WRIGHTSVILLE BEACH TO ALLOW FOR GREATER PUBLIC ACCESS AND TO PERMIT THE COUNTY OF CHOWAN TO LEASE PROPERTY TO THE BOYS AND GIRLS CLUB.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1 of Chapter 246 of the Public Laws of 1939, as amended by Chapter 618 of the Session Laws of 1981, reads as rewritten:

"Section 1. That all land filled in, restored, and made, and to be filled in, restored and made, as the result of the recitals in preamble of this Act, which will exist between the present Eastern property line of the lot owners at present bordering on said ocean, and the low water mark of the Atlantic Ocean, after the work referred to in the preamble hereof, is completed, shall be within the corporate limits of the Town of Wrightsville Beach, and so much of said lands so filled in, restored and made, which will lie West of the property line to be defined and determined by Section Two of this Act, is hereby granted and conveyed in fee simple to the land owner, to the extent that his land abuts thereon, and the balance of said land lying East of said building line, to be fixed and determined by Section Two of this Act, is hereby granted and conveyed in fee simple to the Town of Wrightsville Beach; provided, however, that no building or structure shall be built and erected on said made and built up land lying East of the property line to be defined and set out in Section Two of this Act, and provided further that all made and constructed land lying East of the property line shall be, at all times, kept open for the purpose of streets and highways for the use of the public, and further for the development and uses as a public square or park, to include the construction of public restrooms, gazebos, and typical park facilities in such public squares or parks, and further for the construction of public beach access facilities, as the governing authorities of the Town of Wrightsville Beach, by ordinance, shall determine; and provided further that if any such property as is hereby granted and conveyed to the Town of Wrightsville Beach, shall cease to be used for the purposes or in the manner prescribed in this Act, it shall revert and become the property of the State of North Carolina, and provided further that the owners of the property abutting on said newly made or constructed land, shall, in front of their said property, possess and keep their rights, as if littoral owners, in the waters of the Atlantic Ocean, bordering on said newly acquired and constructed land."

SECTION 1.5.(a) Notwithstanding the provisions of G.S. 160A-272, the County of Chowan may lease to The Boys and Girls Club of the Albemarle all or part of its interest in land on the Old DF Walker Elementary School campus for terms exceeding 10 years without the lease being treated as a sale of property.

SECTION 1.5.(b) This section applies only to the County of Chowan.



SECTION 2. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 26th day of June, 2018.

s/ Bill Rabon
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives