April 12, 2001

H 1141. CARTWAYS. *TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS*. Rewrites GS 136-69(a), which sets out procedure for the laying out of cartways, to (1) specify that purpose is to ensure that landowners who do not have deeded or documented easement or right-of-way to a public road shall have a legal means of obtaining access to the road; (2) change the size of the space to be laid out by a jury from "not less than 18 feet in width" to "not more than 18 feet of travel surface or any other minimum width requested in the petition and found necessary and proper by the court, and not more than 30 feet in width for cuts, fills, and ditches or cableways, chutes, and flumes"; (3) add the use of land as single-family homesteads to coverage by the section; (4) provide that if a cartway is granted for use of one or more single-family homesteads, each homestead must consist of at least 7 acres of land; and (5) provide that where there exists a private railroad crossing, it may be used as part of a cartway established under the Article under conditions specified in the act.

Intro. by Sexton.

Ref. to Judiciary I	GS 136