

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE JOINT RESOLUTION 1139

Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/26/99

House Committee Substitute Favorable 6/15/99

Sponsors:

Referred to:

April 15, 1999

1 A JOINT RESOLUTION DEDICATING PROPERTIES AS PART OF THE STATE
2 NATURE AND HISTORIC PRESERVE.

3 Whereas, Article XIV, Section 5 of the North Carolina Constitution, authorizes
4 the dedication of State and local government properties as part of the State Nature and
5 Historic Preserve upon acceptance by resolution adopted by a vote of three-fifths of the
6 members of each house of the General Assembly and the removal of properties from that
7 Preserve by law adopted by three-fifths of the members of each house of the General
8 Assembly; and

9 Whereas, the General Assembly enacted the State Nature and Historic Preserve
10 Dedication Act, Chapter 443, 1973 Session Laws, to prescribe the conditions and
11 procedures under which properties may be specifically dedicated for the purposes
12 enumerated by Article XIV, Section 5 of the North Carolina Constitution; and

13 Whereas, in accordance with G.S. 143-260.8, the Council of State has
14 petitioned the General Assembly to adopt a resolution pursuant to Article XIV, Section 5
15 of the North Carolina Constitution, accepting properties added to the State Parks System
16 since the last dedication of lands on May 29, 1989, and designated in the petition for
17 inclusion in the State Nature and Historic Preserve; and

18 Whereas, one component of the State Parks System and various State Historic
19 Sites properties, some of which remain unchanged in land mass and some of which have

1 acquired additional land, have different names since they were dedicated to the State
2 Nature and Historic Preserve; and

3 Whereas, the Council of State has petitioned the General Assembly to remove
4 certain properties from the State Nature and Historic Preserve; Now, therefore,
5 Be it resolved by the Senate, the House of Representatives concurring:

6 Section 1. The General Assembly dedicates and accepts all the following lands
7 and waters to constitute components of the State Nature and Historic Preserve as named
8 or renamed:

- 9 (1) All lands and waters within the boundaries of the following units of the
10 State Parks System as of April 6, 1999: Baldhead Island State Natural
11 Area, Bushy Lake State Natural Area, Cliffs of the Neuse State Park,
12 Duke Power State Park, Goose Creek State Park, Hammocks Beach
13 State Park, Hemlock Bluffs State Natural Area, Jockey's Ridge State
14 Park, Lake James State Park, Lake Waccamaw State Park, Lumber
15 River State Park, Medoc Mountain State Park, Merchants Millpond
16 State Park, Mitchells Millpond State Natural Area, Mount Mitchell
17 State Park, Occoneechee Mountain State Natural Area, Pettigrew State
18 Park, Pilot Mountain State Park, Raven Rock State Park, Run Hill State
19 Natural Area, and Weymouth Woods-Sandhills Nature Preserve.
- 20 (2) All lands and waters within the boundaries of William B. Umstead State
21 Park as of April 6, 1999, with the exception of Tract Number 65,
22 containing 22.93140 acres as shown on a survey prepared by John S.
23 Lawrence (RLS) and Bennie R. Smith (RLS), entitled "Property of The
24 State of North Carolina William B. Umstead State Park", dated January
25 14, 1977 and filed in the State Property Office, which was removed
26 from the State Nature and Historic Preserve by Chapter 450, Section 1
27 of the 1985 Session Laws.
- 28 (3) All land within the boundaries of Crowders Mountain State Park as of
29 April 6, 1999, with the exception of the following tract: The portion of
30 that certain tract or parcel of land at Crowders Mountain State Park in
31 Gaston County, Crowders Mountain Township, described in Deed Book
32 1939, page 800, and containing 757.28 square feet and as shown in a
33 survey by Tanner and McConnaughey, P.A. dated July 22, 1988 and
34 filed in the State Property Office.
- 35 (4) All lands owned in fee simple by the State at the New River Scenic
36 River as of April 6, 1999, with the exception of the following tract:
37 That certain tract or parcel of land at the New River Scenic River in
38 Alleghany County, Piney Creek Township, described in Deed Book
39 112, page 610, containing 16.54 acres, and consisting of lots #12
40 through #19 on the survey by Dudley and Zeh, R.L.S. dated September
41 21, 1979, recorded in Plat Book 4, Page 94, and filed in the State
42 Property Office.

- 1 (5) All lands and waters within the boundaries of Stone Mountain State
2 Park as of April 6, 1999, with the exception of the following tract: The
3 portion of that certain tract or parcel of land at Stone Mountain State
4 Park in Wilkes County, Traphill Township, described as parcel 33-02 in
5 Deed Book 633-193, and more particularly described as all of the land
6 in this parcel lying to the west of the eastern edge of the Air Bellows
7 Road, as shown on the National Park Service Land Status Map 33 dated
8 March 24, 1981 and filed in the State Property Office, containing
9 approximately 72 acres.
- 10 (6) All lands and waters located within the boundaries of Eno River State
11 Park as of April 6, 1999, with the exception of the following tracts: The
12 portion of that tract or parcel of land at Eno River State Park in Durham
13 County, Lebanon Township, described in Deed Book 1626, Page 854,
14 required for the right-of-way and easements for the expansion of Guess
15 Road and more particularly described in a Department of Transportation
16 drawing entitled "Sketch Showing a Portion of the Property of State of
17 North Carolina, North Carolina Parks and Recreation, Durham County",
18 for TIP U-2102, Project 8.1351302, parcel 155, dated June 8, 1999 and
19 filed in the State Property Office; and the portion of that tract or parcel
20 of land at Eno River State Park in Durham County, Lebanon Township,
21 described in Deed Book 1945, Page 773, required for the right-of-way
22 and easements for the expansion of Guess Road and more particularly
23 described in a Department of Transportation drawing entitled "Sketch
24 Showing Proposed Right of Way, Property of State of North Carolina
25 (Formerly Association for the Preservation of the Eno), Durham
26 County" for TIP U-2102, Project 8.1351302, parcels 159 and 163, dated
27 June 1, 1999 and filed in the State Property Office.
- 28 (7) All lands and waters located within the boundaries of Hanging Rock
29 State Park as of April 6, 1999, with the exception of the following tract:
30 The portion of that tract or property at Hanging Rock State Park in
31 Stokes County, Danbury Township, described in Deed Book 360, Page
32 160, for a 30-foot wide right-of-way beginning approximately 183 feet
33 south of SR 1001 and extending in a southerly direction approximately
34 1,479 feet to the southwest corner of the Bobby Joe Lankford tract and
35 more particularly shown on a survey entitled, "J. Spot Taylor Heirs
36 Survey, Danbury Township, Stokes County, N.C.", by Grinski
37 Surveying Company, dated June 1985, and filed in the State Property
38 Office.
- 39 (8) All lands and waters located within the boundaries of South Mountains
40 State Park as of April 6, 1999, with the exception of the following
41 tracts: The portion of that tract or property at South Mountains State
42 Park in Burke County, Lower Creek Township, described in Deed Book
43 862, Page 1471, required for the right-of-way and easements for the

1 relocation of SR 1904 within the park and lying generally between the
2 Rutherford Electric Membership Corporation right-of-way and the
3 southern property boundary of the park, as described in the drawing
4 entitled "Survey for State of North Carolina", dated January 28, 1999,
5 prepared by Suttles Surveying, P.A., bearing the preparer's file name
6 12455.dwg and filed in the State Property Office; and the portions of
7 land at South Mountains State Park that lie south of the centerline of the
8 CCC road as shown on the drawing entitled "Land Trade between South
9 Mountains State Park and Adjacent Game Lands along CCC
10 Road" prepared by the Division of Parks and Recreation, dated March
11 15, 1999, and filed in the State Property Office and that lie within: (i)
12 the tract or property in Burke County, Lower Fork Township, described
13 in Deed Book 495, Page 501; (ii) the tract or property in Burke County,
14 Lower Fork and Upper Fork Townships, described in Deed Book 715,
15 Page 719; or (iii) within the tracts or property in Burke County, Upper
16 Fork Township, described in Deed Book 860, Page 341, and Deed Book
17 884, Page 1640.

18 (9) All lands and waters located within the boundaries of the following
19 State Historic Sites as of January 1, 1999: Charles B. Aycock
20 Birthplace, Bennett Place, Bentonville Battleground (formerly
21 Bentonville Battleground Historic Site), Brunswick Town (formerly
22 Brunswick Town Historic Site)/Fort Anderson, C.S.S. Neuse and
23 Governor Caswell Memorial (formerly Governor Richard Caswell
24 Memorial/C.S.S. Neuse Historic Site), Charlotte Hawkins Brown
25 Memorial, Historic Edenton (formerly James Iredell House Historic
26 Site), Fort Dobbs, Fort Fisher, Historic Halifax, Horne Creek Living
27 Historical Farm, North Carolina Transportation Museum, Reed Gold
28 Mine, Somerset Place, Tryon Palace Historic Sites & Gardens (formerly
29 Tryon Palace Historic Site), and Thomas Wolfe Memorial (formerly
30 Thomas Wolfe Memorial Historic Site).

31 (10) All lands and waters within the boundaries of Gorges State Park as
32 shown on the map entitled "Boundaries of Gorges State Park" prepared
33 by the Division of Parks and Recreation, dated May 27, 1999, and filed
34 in the State Property Office, which lands and waters are a portion of the
35 lands and waters acquired by the State of North Carolina on April 29,
36 1999, the purchase of which was approved by the Council of State at its
37 meeting on March 2, 1999.

38 Section 2. The General Assembly dedicates and accepts all the following lands
39 and waters, which were dedicated and accepted previously by the General Assembly to
40 the State Nature and Historic Preserve, which properties have not changed their
41 boundaries, but which have been renamed since their prior dedication and acceptance, as
42 components of the State Nature and Historic Preserve as renamed:

1 Mount Jefferson State Natural Area (formerly Mount Jefferson State Park), Alamance
2 Battleground (formerly Alamance Battleground Historic Site), Historic Bath (formerly
3 Historic Bath Historic Site), Duke Homestead (formerly Duke Homestead Historic Site),
4 House in the Horseshoe (formerly House in the Horseshoe Historic Site), James K. Polk
5 Memorial (formerly President James K. Polk Memorial Historic Site), Historic Stagville
6 (formerly Stagville Preservation Center Historic Site), State Capitol (formerly State
7 Capitol Historic Site), Town Creek Indian Mound (formerly Town Creek Indian Mound
8 Historic Site), and Zebulon B. Vance Birthplace (formerly Governor Zebulon B. Vance
9 Birthplace Historic Site).

10 Section 3. In accordance with G.S. 143-260.8(e), the Secretary of State is
11 directed to forward a certified copy of this resolution to the register of deeds of the
12 counties in which the dedicated properties named in Sections 1 and 2 of this act are
13 located.

14 Section 4. This resolution is effective upon ratification.