

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 2364*

Short Title: Air Space Encroachm. for City of Wilmington. (Public)

Sponsors: Representatives McComas, Hughes, and Justice (Primary Sponsors).

Referred to: Transportation, if favorable, Judiciary III.

May 21, 2008

A BILL TO BE ENTITLED

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

5 The General Assembly of North Carolina enacts:

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

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