

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

S

D

SENATE DRS35063-LBx-92 (12/27)

Short Title: Gaston and Lincoln Boundaries.

(Local)

Sponsors: Senators Hoyle, and Forrester.

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO ASSIST GASTON AND LINCOLN COUNTIES IN RESOLVING
3 THEIR COMMON BOUNDARY BY ALLOWING THEM TO VARY FROM THE
4 LINE ESTABLISHED BY THE 1963 GENERAL ASSEMBLY TO RECOGNIZE
5 HISTORICAL PRACTICE.

6 Whereas, the General Assembly, by passage of Chapter 596 of the 1963
7 Session Laws, established the official county line of Gaston County; and

8 Whereas, that act provided for the map to be recorded in Gaston County and
9 the contiguous counties, and constituted the official county line; and

10 Whereas, the map was never recorded or implemented, but was recently
11 discovered as Gaston and Lincoln Counties worked to establish their common
12 boundaries, which were recognized by more modern mapping and surveying to be
13 inaccurate; and

14 Whereas, historical patterns of recognition of the county line have grown up,
15 recognized by tax offices, school systems, and boards of election; and

16 Whereas, the two counties feel hamstrung by the 1963 local act and by the
17 current procedures in G.S. 153A-18 for settling boundary disputes; Now, therefore,
18 The General Assembly of North Carolina enacts:

19 **SECTION 1.** Section 1 of Chapter 596 of the 1963 Session Laws reads as
20 rewritten:

21 "Section 1. (a) The official county lines of Gaston County, and the official township
22 lines of the various townships in said county shall be as indicated on that certain map
23 entitled "Gaston County, N. C., map of county and township lines, dated April, 1963,
24 surveyed by Findlay, Witheres, McConnoughey, Inc., Registered Surveyors.

25 (b) Notwithstanding subsection (a) of this section, the Counties of Gaston and
26 Lincoln shall establish in accordance with G.S. 153A-18 the line between those two
27 counties as provided on that map, but respecting to the extent practicable the line as it

1 has been observed in practice, provided that the line does not make any territory in one
2 county noncontiguous to the remainder of the county. In any case where the tax
3 treatment of a parcel has in practice been divided in some proportion between the two
4 counties without drawing of an actual line, the two counties may divide the properties
5 proportionally between the two counties. Until the line has been established in
6 accordance with this subsection, the line shall continue to be administered as it has been
7 in practice, rather than as provided by subsection (a) of this section."

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