

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 214

Short Title: Land Records Statutes Tech. Mods/AB.

(Public)

Sponsors: Representatives Jeffus, Mosley, and Wainwright (Primary Sponsors).

Referred to: Rules, Calendar and Operations of the House.

March 2, 1999

A BILL TO BE ENTITLED

1 AN ACT TO MAKE TECHNICAL CHANGES TO THE LAND RECORDS
2 STATUTES.
3

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 102-15 reads as rewritten:

6 **"§ 102-15. Improvement of land records.**

7 There is hereby established a statewide program for improvement of county land
8 records to be administered by the Secretary of ~~Environment and Natural Resources~~ State
9 (hereafter called the Secretary). First emphasis shall be given to the completion of
10 countywide base maps. Counties with a base map system prepared to acceptable
11 standards will be encouraged to undertake subsequent logical improvements in their
12 respective land records systems. Work undertaken by any county under this program will
13 be eligible for financial assistance out of funds appropriated for this purpose to the
14 Department of ~~Environment and Natural Resources~~ the Secretary of State. The amount
15 allotted to each project is to be determined by the Secretary, but in no case shall such
16 allotments exceed one dollar for every dollar of local tax funds expended on the project
17 by the county. Federal or other State funds available to the project will not be eligible as
18 matching money under the State program."

19 Section 2. G.S. 102-17 reads as rewritten:

20 **"§ 102-17. County projects eligible for assistance.**

1 All projects funded under this assistance program shall be described as conforming to
2 one or more of the project outlines defined herein. All projects shall achieve a substantial
3 measure of conformity with the objectives set forth in these project outlines such that a
4 greater degree of statewide standardization of land records will result. The Secretary shall
5 prepare and make available to all counties administrative regulations designed to assist
6 the counties in preparing project plans and applications for assistance, and to assure
7 compliance with the objectives and other requirements of G.S. 102-15, 102-16, and this
8 section. County projects shall be eligible for assistance subject to availability of funds,
9 compliance with administrative regulations, and conformity with one or more of the
10 project outlines as follows:

11 (1) Base Maps. – Preparation of accurate planimetric or orthophoto maps
12 with countywide coverage at one or more scale ratios suitable as a base
13 for the development and maintenance of current cadastral maps. These
14 maps shall have additional information included where appropriate to
15 increase their utility for other purposes. The formulation of technical
16 standards and detailed specifications and the coordination of all such
17 mapping projects with other State mapping programs shall be the
18 responsibility of the Department of ~~Environment and Natural Resources~~
19 the Secretary of State. Insofar as possible mapping projects funded
20 under this assistance program shall utilize existing photography,
21 geodetic control surveys, and previously mapped information, and be
22 coordinated or combined with adjacent or related mapping projects to
23 achieve the best efficiency and economy consistent with the
24 maintenance of high quality map production.

25 (2) Cadastral Maps. – Preparation of accurate maps of all property
26 boundaries together with other supporting information and based on up-
27 to-date planimetric or orthophoto maps conforming to the specifications
28 for base maps outlined in subdivision (1) of this section. The
29 formulation of specifications and standards for these cadastral maps
30 shall be the responsibility of the Department of ~~Revenue~~ the Secretary
31 of State. These specifications and standards shall be designed to
32 conform to the best acceptable practice for county land records in North
33 Carolina. The cadastral maps shall be scheduled as nearly as possible to
34 be completed and made available for the next revaluation cycle to be
35 undertaken by each county and the maps shall include references to
36 subdivision plat numbers, property codes, and other related information
37 considered useful to the appraisal process or to the public generally.

38 (3) Standardized Parcel Identifiers. – Adoption of a system of parcel
39 identifiers which will serve to provide unique identification of each
40 parcel of land, a permanent historical record of change and the chain of
41 title, and any necessary cross-reference to other preexisting parcel
42 identifiers. The proposed system of parcel identifiers shall conform to
43 such minimum specifications and standards as may be promulgated by

1 the Secretary for the purpose of achieving consistency and compatibility
2 among all counties throughout the State. Said minimum specifications
3 and standards for parcel identifier systems shall be adopted and
4 administered by the Secretary only after consultation with the
5 recommendation from an advisory committee on land records with a
6 membership representative of professional organizations concerned with
7 public land records and map making.

- 8 (4) Automated Processing of Land Parcel Records. – Preparation and
9 implementation of a system of automated record keeping and processing
10 which will expedite the maintenance of accurate up-to-date files,
11 improve the appraisal process, and facilitate analytical operations
12 needed to respond to requirements for current information. Technical
13 standards and minimum specifications shall be the joint responsibility of
14 the Department of ~~Environment and Natural Resources~~, the Secretary of
15 State, the Department of Revenue, and the Department of Cultural
16 Resources."

17 Section 3. G.S. 161-22.2 reads as rewritten:

18 **"§ 161-22.2. Parcel identifier number indexes.**

19 (a) In lieu of the alphabetical indexes required by G.S. 161-21, 161-22 and 161-
20 22.1, the register of deeds of any county in which unique parcel identifier numbers have
21 been assigned to all parcels of real property may install an index by land parcel identifier
22 numbers. For each instrument filed of record, the entry in a land parcel identifier number
23 index must contain the following information:

- 24 (1) The parcel identifier number of the parcel or parcels affected;
25 (2) A brief description of the parcel or parcels, including subdivision block
26 and lot number, if any;
27 (3) A description of the type of instrument recorded and the date the
28 instrument was filed;
29 (4) The names of the parties to the instrument to the same extent as required
30 by G.S. 161-22 and the legal status of the parties indexed;
31 (5) The book and page number, or film reel and frame number, or other file
32 number where the instrument is recorded.

33 (b) Every instrument affecting real property filed for recording in the office of
34 such register of deeds shall be indexed under the parcel identifier number of the land
35 parcel or parcels affected.

36 (c) The parcel identifier number index may be maintained in index books, on
37 index cards, on film, or in computers or other automated data-processing machines. If the
38 parcel identifier number index is maintained in a computer or other automated data-
39 processing machine, the register of deeds shall, at least once each month, obtain from the
40 computer or other data-processing machine a printed copy on paper or film of all index
41 entries made since the previous printed copy was obtained. The printed copies shall be
42 retained as security copies and shall not be altered or destroyed.

1 (d) Before a register of deeds may install a parcel identifier number index in lieu
2 of the alphabetical indexes required by G.S. 161-22, the proposed index must be
3 approved by the Secretary of ~~Environment and Natural Resources~~ State. Before approving
4 a parcel identifier number index, the Secretary must find that:

- 5 (1) The requirements of this section, G.S. 161-22, and all other applicable
6 indexing requirements of the North Carolina General Statutes and
7 applicable judicial decisions will be met by the index;
- 8 (2) Measures for the protection of the indexed information are such that
9 computer or other machine failure will not cause an irremediable loss of
10 the information;
- 11 (3) Printed forms and index sheets used in the index permit a display of all
12 information required by law and are otherwise adequate;
- 13 (4) Any computer or other data-processing machine used and the program
14 for the use of such machines are adequate to perform the tasks assigned
15 to them;
- 16 (5) Access to the information contained in the index can be obtained by the
17 use of both a parcel identifier number and the name of any party to an
18 instrument filed of record;
- 19 (6) Any parcel identifier number either reflects the State plane coordinates
20 of some point in the parcel, or is keyed to a map of the parcel that shows
21 the location of the parcel within the county;
- 22 (7) The parcel identifier numbering system is designed so that no parcel
23 will be assigned the same number as any other parcel within the county;
- 24 (8) The parcel identifier numbering system shows for parcels of land
25 created by subdivision, the number of the parcel of land subdivided in
26 addition to the numbers of the newly-created parcels;
- 27 (9) The parcel identifier numbering system shows for parcels of land
28 created by the combining of separate parcels, the numbers of the land
29 parcels that were combined in addition to the number of the newly-
30 created parcel;
- 31 (10) The parcel identifier numbering system is capable of identifying
32 condominium units and other separate legal interests that may be
33 created in a single parcel of land;
- 34 (11) The parcel identifier numbering system will meet the needs of the users
35 as well as or better than the alphabetical indexes required by G.S. 161-
36 21, 161-22 and 161-22.1.

37 The Secretary may require a register of deeds seeking approval of a parcel identifier
38 number index to furnish him with any information concerning the index that is pertinent
39 to the findings required for approval.

- 40 (e) (1) An approved parcel identifier number index shall become
41 effective as the official real property index of the county as of the first
42 day of July or the first day of January, as the board of commissioners

1 directs, following approval by the Secretary of ~~Environment and~~
2 ~~Natural Resources~~. State.

3 (2) In any county in which a parcel identifier index is the official index, the
4 register of deeds shall post notices in the alphabetical index books and
5 at other appropriate places in his office stating that the parcel identifier
6 number index is the official index and the date when the change became
7 effective."

8 Section 4. This act is effective when it becomes law.