

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

**SESSION LAW 2007-440  
SENATE BILL 1482**

AN ACT TO EXEMPT FROM THE REQUIREMENTS OF G.S. 136-102.6 SUBDIVISIONS LOCATED WITHIN THE EXTRATERRITORIAL PLANNING JURISDICTION OF MUNICIPALITIES HAVING A POPULATION OF AT LEAST 500,000, IN AND TO THE EXTENT THAT SUCH SUBDIVISIONS CONTAIN STREETS THAT HAVE BEEN APPROVED BY ANY SUCH MUNICIPALITY AS MEETING THE PUBLIC STREET STANDARDS OF SUCH MUNICIPALITY PRIOR TO THE EFFECTIVE DATE OF THIS ACT, AND TO EXEMPT SUCH SUBDIVISIONS FROM ANY ORDINANCE REQUIREMENT THAT SUCH PUBLIC STREETS MEET THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

The General Assembly of North Carolina enacts:

**SECTION 1.** Notwithstanding the provisions of G.S. 136-102.6(c), (d), and (i), with respect to a subdivision plat for land located within the extraterritorial planning jurisdiction of any municipality having a population of at least 500,000, if said plat includes one or more streets approved for construction by the municipality as meeting the public street standards of the municipality prior to June 1, 2007, and said plat has not received a certificate of approval from the Division of Highways:

- (1) The right-of-way and design of any street designated as public on said plat and approved for construction by the municipality prior to June 1, 2007, need not be in accordance with the minimum right-of-way and construction standards established by the Board of Transportation for acceptance on the State highway system.
- (2) Said subdivision plat shall be recorded by the register of deeds without a certificate of approval by the Division of Highways if the final plat has been approved by the municipality.
- (3) If and to the extent that any street designated as public on said plat meets the applicable public street standards of such municipality, said street shall be exempt from any ordinance requirement that the street also meet the standards of the North Carolina Department of Transportation and may be given final plat approval by the municipality.

**SECTION 2.** To the extent that any plats are recorded pursuant to this act, the disclosure statement required by G.S. 136-102.6(f) shall fully and completely disclose that any street designated as public on said plats has not been approved by and will not be accepted for maintenance by the Division of Highways and shall inform the buyer that the municipality cannot and will not accept the street until it comes within the corporate limits of the municipality through annexation and shall also disclose the arrangements that have been made to ensure the maintenance of the street prior to acceptance by the municipality.

**SECTION 3.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 25<sup>th</sup> day of  
July, 2007.

s/ Beverly E. Perdue  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 11:16 a.m. this 23<sup>rd</sup> day of August, 2007