North Carolina Department of Public Safety

Emergency Management
North Carolina Geodetic Survey

Pat McCrory, Governor
Frank L. Perry, Secretary

Michael A. Sprayberry, Director

MEMORANDUM

To: County officials

From: Dennis Lee, PLS
State and County Boundary Surveyor

Subject: How to formally request NCGS to resurvey an ambiguous/uncertain county boundary section

Date: August 22, 2013

The North Carolina Geodetic Survey ("NCGS") has been designated and funded by the North Carolina General Assembly to assist with the resurvey of ambiguous or uncertain county boundaries as per General Statute (GS) 153A-18a:
www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/BySection/Chapter_153A/GS_153A-18.html

§ 153A-18a. Uncertain or disputed boundary.
(a) If two or more counties are uncertain as to the exact location of the boundary between them, they may cause the boundary to be surveyed, marked, and mapped. The counties may appoint special commissioners to supervise the surveying, marking, and mapping. A commissioner so appointed or a person surveying or marking the boundary may enter upon private property to view and survey the boundary or to erect boundary markers.

Note: NCGS would conduct this survey work only upon the formal request of the counties adjoining each uncertain county line and would do so at no cost to the affected counties.

If adjoining counties have an ambiguous or uncertain county boundary section(s), the Board of County Commissioners of the affected counties may formally request the NCGS County Boundary Program to resurvey the ambiguous or uncertain county boundary section(s) by:

1. Passing a resolution recognizing that the county line is uncertain or ambiguous
2. Appointing one or more special commissioners or designating a contact agent to assist NCGS
3. Submitting a written request to NCGS for the section(s) to be resurveyed and including the following:
   - The county document issued for item #1
   - The contact agent(s) or special commissioner(s) selected for item #2

Note: Each Board of County Commissioners may appoint a special commissioner or designate a county employee to be the contact agent who would assist NCGS by providing county records (e.g. deeds, maps, and other archived information).

MAILING ADDRESS:
4298 Mail Service Center
Raleigh NC 27699-4298
www.ncfloodmaps.com

OFFICE LOCATION:
4105 Reedy Creek Rd.
Raleigh, NC 27607
Telephone: (919) 733-3836
Fax: (919) 733-4407

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Throughout each county line resurvey project, NCGS and the respective affected counties would work in partnership to produce a product that would supply the needs of each county as well as meet the requirements of GS 153A-18a. Furthermore, the County Manager and the Board of County Commissioners of each affected county need to be informed of the project's progress.

After the resurvey project has been completed, the Board of County Commissioners of each affected county would review the plat. Upon agreeing on the location of the county line, the Commissioners must pass a resolution that the plat is the true definition of the line's location as further stipulated in GS 153A-18(a).

> **§ 153A-18a. Uncertain or disputed boundary.**
> *….Upon ratification of the survey by the board of commissioners of each county, a map showing the surveyed boundary shall be recorded in the office of the register of deeds of each county in the manner provided by law for the recordation of maps or plats and in the Secretary of State's office. The map shall contain a reference to the date of each resolution of ratification and to the page in the minutes of each board of commissioners where the resolution may be found. Upon recordation, the map is conclusive as to the location of the boundary.*

Upon meeting all parts of GS 153A-18(a), the plat would become a legal document defining the county line location and then NCGS would:

- Prepare all the necessary plats and Mylar drawings
- Record the resurvey with the North Carolina Department of the Secretary of State
- Supply each affected county with the Mylar drawings for recordation

Changing the location of an existing county boundary

In contrast to General Statute 153A-18(a) that governs uncertain or ambiguous boundary sections, G.S. §153A-17 governs changes in existing county boundaries:
www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/BySection/Chapter_153A/GS_153A-17.html

> **G.S. §153A-17. Existing boundaries.**
> *The boundaries of each county shall remain as presently established, until changed in accordance with law. (1973, c. 822, s. 1.)*

Therefore, if the affected counties elect to have a new line surveyed and to change the county line from its original location (as defined by law), then that change would need to be ratified by the North Carolina General Assembly.

Dennis Lee, PLS (L-1544)
County Boundary Surveyor
Direct line: 919-948-7841
Main office: 919-733-3836
Fax: 919-733-4407
Email: LDennisLee@ncdps.gov