

02 NCAC 59C .0402 LAND RIGHTS ACQUISITION COSTS

(a) State grants pursuant to Article 4 Chapter 139 may cover up to fifty percent of land rights acquisition costs for water retarding structure sites which include flood prevention and/or water supply, and for recreation sites. Such costs include:

- (1) the actual costs of titles or easements for landrights for the following:
 - (A) flood retarding structure sites, and impoundment areas;
 - (B) water supply sites;
 - (C) recreational sites;
 - (D) access roads necessary for construction, operation, and maintenance of (A), (B), or (C) of this Paragraph; and
 - (E) "uneconomic remnants" as defined in Public Law 91-646;
- (2) the following administration costs:
 - (A) cost of surveying; land rights taking lines;
 - (B) contract relocation advisory service and contract appraisal fees by qualified personnel;
 - (C) relocation assistance expenses;
- (3) the following modification costs:
 - (A) public utilities;
 - (B) public highways;
 - (C) private roads;
 - (D) floodproofing that would prevent additional land rights acquisition costs.

(b) Such costs do not include the following:

- (1) attorney fees;
- (2) land costs for title or easements acquired for purposes other than those stated in this Rule;
- (3) negotiator's or land rights agent's fees or salaries;
- (4) watershed administrator's fees or salaries;
- (5) watershed commissioner's or trustee's fees, salaries or expenses;
- (6) any fees, salaries, or expenses of an employee of the local sponsor;
- (7) any administrative costs not included in this Rule.

*History Note: Authority G.S. 106-840; 139-4(d); 139-54(1);
Eff. September 1, 1982;
Amended Eff. October 1, 1984;
Transferred from 15A NCAC 06C .0403 Eff. May 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.*