



CHAPTER 136  
ARTICLE 7 - MISCELLANEOUS PROVISIONS

N.C.G.S. § 136-96.1.

Special proceeding to declare a  
right-of-way dedicated to public use.

|                                                                                          |                                                                     |                                           |                                                                                                    |
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| SOURCE<br>General Statutes of North<br>Carolina, as published by the<br>General Assembly | LAST AMENDMENT IN THIS<br>TEXT<br>No amendment history on<br>record | RETRIEVED<br>21 September 2026, 04:11 UTC | SOURCE FINGERPRINT<br>048d0a0855fd95033b09d609 -<br>1824daf3e9742446f8537d0e -<br>c31771da847d0794 |
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- § 136-96.1(a)

A special proceeding under Article 3, Chapter 1 of the General Statutes may be brought to declare a right-of-way dedicated to public use if:

(1) The landowners of tracts constituting two-thirds of the road frontage of the land abutting the right-of-way in question join in the action;

(2) The right-of-way is depicted on an unrecorded map, plat, or survey;

(3) The right-of-way has been actually open and used by the public; and

(4) Recorded deeds for at least three separate parcels abutting the right-of-way recite the existence of the right-of-way as a named street or road.
- § 136-96.1(b)

In a special proceeding brought pursuant to this section, the clerk of court shall issue an order declaring the right-of-way to be dedicated to public use upon finding that the provisions of subsection (a) of this section have been proven.
- § 136-96.1(c)

Any right-of-way found to be dedicated to public use pursuant to this section that is proposed for addition to the State highway system shall meet the requirements of G.S. 136-102.6.
- § 136-96.1(d)

This section shall not apply to any right-of-way established by adverse possession or by cartway proceeding. (2001-501, s. 1.)

APPARATUS II  
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE      | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION      |
|----------------|------------|-----------------------------------------|
| G.S. 136-102.6 | (c)        | "system shall meet the requirements of" |

APPARATUS III

Citation

FULL SECTION  
N.C. Gen. Stat. § 136-96.1 (2026).

PINPOINT  
N.C. Gen. Stat. § 136-96.1(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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