

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 692
SENATE BILL 792

AN ACT TO AUTHORIZE ALL COUNTIES AND CITIES TO CONVEY
PROPERTY IN LIEU OF APPROPRIATING FUNDS.

The General Assembly of North Carolina enacts:

Section 1. Article 12 of Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-279. Sale of property to entities carrying out a public purpose; procedure.

(a) Whenever a city or county is authorized to appropriate funds to any public or private entity which carries out a public purpose, the city or county may, in lieu of or in addition to the appropriation of funds, convey by private sale to such an entity any real or personal property which it owns; provided no property acquired by the exercise of eminent domain may be conveyed under this section; provided that no such conveyance may be made to a for-profit corporation. The city or county shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public use by the recipient entity. The procedural provisions of G.S. 160A-267 shall apply.

(b) Notwithstanding any other provision of law, this section applies only to cities and counties and not to any other entity which this Article otherwise applies to.

(c) The resolution or order required under G.S. 160A-267 for conveyances under this section must be approved by the unanimous affirmative vote of the council members or county board of commissioners, not counting vacancies or members excused from voting in order to be effective under this section.

(d) This section does not limit the right of any entity to convey property by private sale when that right is conferred by another law, public, or local."

Sec. 2. G.S. 160A-266(b) is amended by rewriting the second sentence in the first paragraph to read:

"Real property and personal property valued at five thousand dollars (\$5,000) or more for any one item or group of similar items may be exchanged as permitted by G.S. 160A-271, or may be sold by any method permitted in this Article other than private negotiation and sale, except as permitted in G.S. 160A-277 and 160A-279."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 29th day of July, 1987.