

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 95
HOUSE BILL 327

AN ACT TO MODIFY WINSTON-SALEM'S POWER OF EMINENT DOMAIN.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 47 of the 1985 Session Laws reads as rewritten:

"Section 1. The City of Winston-Salem shall have the power of eminent domain and may acquire, either by purchase, gift or condemnation, any land, right of access, right-of-way, water right, privilege, easement, or any other interest in or relating to land, water or improvements, either within or without the city limits in Forsyth County, for any lawful public use or purpose. In the exercise of the power of eminent domain, the city is vested with all power and authority now or hereafter granted by the laws of North Carolina applicable to the City of Winston-Salem, and the city shall follow the procedures now or hereafter prescribed by said laws; provided that, notwithstanding the provisions of G.S. 40A-1, in the exercise of its authority of eminent domain for the acquisition of property ~~within the city limits~~ to be used for streets and highways, water supply and distribution systems, sewage collection and disposal systems and airports, the City of Winston-Salem is authorized to use the procedure and authority prescribed in Article 9 of Chapter 136 of the General Statutes, as now or hereafter amended; provided further, that whenever therein the words 'Secretary' or 'Secretary of Transportation' appear, they shall be deemed to include the 'City Manager'; provided further that nothing herein shall be construed to enlarge the power of the City of Winston-Salem to condemn property already devoted to public use. The City of Winston-Salem is also vested with the authority to condemn for public library purposes property, rights, privileges, easements and restrictive covenants and conditions, including any restrictive covenants and conditions applicable to real estate now or hereafter owned, restricting the use of same in any manner whatsoever. This act is supplemental to the powers of the City of Winston-Salem under Chapter 40A of the General Statutes."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 24th day of April, 1987.