

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 88
SENATE BILL 152

AN ACT TO EXTEND THE DATE BY WHICH THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., IS REQUIRED TO ENTER A LEASE WITH THE STATE OF NORTH CAROLINA AND TO ALLOW THE RECEIPT OF PLEDGES TO SATISFY THE FUND-RAISING CONDITION TO BE INCLUDED IN THAT LEASE.

The General Assembly of North Carolina enacts:

Section 1. Subsection (a) of Section 18 of Chapter 1074 of the 1989 Session Laws, as amended by Subsection (e) of Chapter 900 of the 1991 Session Laws, reads as rewritten:

"(a) The State of North Carolina shall lease out to the North Carolina Indian Cultural Center, Inc., for a period of 99 years at a monetary consideration of one dollar (\$1.00) per year all the real property it acquired for the Indian Cultural Center, but no part of Phase I of the project may be constructed either by the State or for the lessee until an environmental impact assessment is completed on Phase I of the property, and if required pursuant to Article 1 of Chapter 113A of the General Statutes, an environmental impact statement is prepared. The State shall enter into a lease agreement in accordance with this section not later than ~~June 30,~~ December 31, 1993. If the State and the North Carolina Indian Cultural Center, Inc., do not enter into a lease agreement by ~~June 30,~~ December 31, 1993, then the property may be used for any public purpose.

Any lease agreement entered into by the State with the North Carolina Indian Cultural Center, Inc., shall include but not be limited to the following terms:

- (1) An environmental impact assessment pursuant to Article 1 of Chapter 113A of the General Statutes is completed on Phase I of the property.
- (2) The lease shall include a reversionary clause stipulating that the North Carolina Indian Cultural Center, Inc., must ~~have raise funds or receive pledges totalling~~ pledges totalling the \$4,160,000 necessary to complete Phase I of this project ~~in their possession, unencumbered, and subject to its immediate disposal~~ within three years from the date of execution of the lease agreement.
- (3) If the funds or pledges are not ~~so possessed-obtained~~ within three years from the date of execution, then this lease agreement will automatically terminate.

- (4) The North Carolina Indian Cultural Center, Inc., as lessee, may conduct no construction of Phase I on the premises until it has fulfilled the terms of the lease agreement.
- (5) The North Carolina Indian Cultural Center, Inc., as lessee, shall enter into a sublease agreement with the operator of the land and buildings known as the Riverside Golf Course to continue the operation and maintenance of the Riverside Golf Course under the same terms as the lease agreement between the State and the operator of the Riverside Golf Course. The sublease agreement shall be renewable annually until such time as the terms of the lease agreement as required under subdivisions (1) through (4) of this subsection have been fulfilled."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of June,

1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives