

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 566

Short Title: Charlotte/Meck. Day Care Lease.

(Local)

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Sponsors: Representative Easterling.

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Referred to: Government.

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March 14, 1989

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW MECKLENBURG COUNTY AND THE CITY OF  
2 CHARLOTTE TO LEASE PROPERTY AT PRIVATE SALE FOR CHILD CARE  
3 PURPOSES, AND TO ELIMINATE THE REQUIREMENT THAT SUCH  
4 PRIVATE SALES BE APPROVED BY UNANIMOUS VOTE OF THE  
5 GOVERNING BOARD.  
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7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 160A-279 reads as rewritten:

9 **"§ 160A-279. Sale of property to entities carrying out a public purpose; procedure.**

10 (a) Whenever a city or county is authorized to appropriate funds to any public or  
11 private entity which carries out a public purpose, the city or county may, in lieu of or in  
12 addition to the appropriation of funds, convey by lease or by private sale to such an  
13 entity any real or personal property which it owns; provided no property acquired by the  
14 exercise of eminent domain may be conveyed under this section; provided that no such  
15 conveyance may be made to a for-profit corporation, except for child care purposes, but  
16 the instrument of conveyance need not provide for any reverter. The city or county  
17 shall attach to any such conveyance covenants or conditions which assure that the  
18 property will be put to a public use by the recipient entity. The procedural provisions of  
19 G.S. 160A-267 shall apply.

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

22 (c) The resolution or order required under G.S. 160A-267 for conveyances under  
23 this section, other than conveyances for child care purposes, must be approved by the  
24 unanimous affirmative vote of the council members or county board of commissioners,

1 not counting vacancies or members excused from voting in order to be effective under  
2 this section.

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

5 Sec. 2. Any city or county may appropriate funds to any public or private  
6 entity for construction or operation of child care facilities, or for provision of child care  
7 services, such an activity being for a public purpose.

8 Sec. 3. This act applies to Mecklenburg County and the City of Charlotte  
9 only.

10 Sec. 4. This act is effective upon ratification.