

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1991**

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HOUSE BILL 95

Corrected Copy 2/20/91

Senate Local Government & Regional Affairs Committee Substitute Adopted 4/18/91

Short Title: Cumberland Industrial Sites.

(Local)

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Sponsors:

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Referred to:

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February 18, 1991

A BILL TO BE ENTITLED

1 AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO  
2 AUTHORIZE CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS  
3 INDUSTRIAL PARK.  
4

5 The General Assembly of North Carolina enacts:

6 Section 1. Section 1 of Chapter 1079 of the 1984 Session Laws reads as  
7 rewritten:

8 "Section 1. The County of Cumberland is authorized to sell industrial sites in its  
9 industrial park known as the Cumberland Industrial Center to industrial prospects,  
10 subject to its restrictive covenants as appear of record, without utilizing the formal bid  
11 requirements of Article 12 of Chapter 160A of the ~~North Carolina~~ General Statutes.  
12 Sales conducted hereunder shall be accomplished in the following manner:

13 (a) The County Manager of Cumberland County may, under a continuing  
14 resolution adopted by the Cumberland County Board of Commissioners, offer for sale  
15 and negotiate the terms of sale for any and all industrial sites located within the  
16 Cumberland Industrial Center. This resolution must be adopted at an open meeting of  
17 the County Board of Commissioners once each year and shall designate any and all sites  
18 that are for sale and attach any additional terms and conditions for the sale of said land.

19 (b) At any time that the County Manager receives a written offer to purchase a  
20 site within the Cumberland Industrial Center the County Board of Commissioners, at  
21 any special or regular meeting, may agree to sell said property pursuant to the written  
22 offer without further notification or sales procedure. Prior to accepting such offer the

1 County Board of Commissioners shall determine the fair market value of the property,  
2 subject to whatever covenants, conditions, and restrictions the Board proposes to subject  
3 it to and the consideration for the conveyance may not be less than the value so  
4 determined. In arriving at the amount of consideration that it receives, the Board may  
5 take into account prospective tax revenues from improvements to be constructed on the  
6 property, prospective sales tax revenues to be generated in the area, as well as any other  
7 prospective tax revenues or income coming to the County over the next 10 years as a  
8 result of the conveyance or lease provided the following conditions are met:

9 (1) The County Board of Commissioners shall determine that the  
10 conveyance of the property will stimulate the local economy, promote  
11 business, and result in the creation of a substantial number of jobs in  
12 the County.

13 (2) The County Board of Commissioners shall contractually bind the  
14 purchaser of the property to construct improvements on the property  
15 within a specified period of time, not to exceed 10 years, which  
16 improvements are sufficient to generate the tax revenue taken into  
17 account in arriving at the consideration. Upon failure to construct the  
18 improvements specified in the contract, the purchaser shall reconvey  
19 the property back to the County.

20 (c) Within seven days of the acceptance of such offer, the County Board of  
21 Commissioners shall publish a resolution in a local daily paper of major circulation  
22 identifying the site to be sold and briefly enumerating the terms of the sale. This  
23 resolution is for the purposes of fully notifying the residents of Cumberland County of  
24 the Commissioners' action in disposing of the industrial sites within the County, but it is  
25 not to be construed as requiring additional form of approval or action."

26 Sec. 2. This act is effective upon ratification. All sales consummated in  
27 accordance with Chapter 1079 of the 1984 Session Laws prior to the ratification of this  
28 act are ratified.