

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 707
Judiciary I Committee Substitute Adopted 5/7/91
Third Edition Engrossed 5/13/91

Short Title: Return of Condemned Property.

(Public)

Sponsors:

Referred to:

April 18, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE PROCEDURES FOR THE RETURN OF CONDEMNED
3 PROPERTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 40A of the General Statutes is amended by adding a new
6 Article to read:

7 **“ARTICLE 5.**
8 **“RETURN OF CONDEMNED PROPERTY.**

9 **“§ 40A-70. Return of condemned property.**

10 Whenever a public condemnor listed in G.S. 40A-3(b) or (c) acquires real
11 property by condemnation, makes no improvements to the property, and thereafter
12 determines that the property is not needed for the purpose for which it was condemned,
13 and the public condemnor still owns the property, the public condemnor may reconvey
14 the property to the original owner, or his heirs, successors in interest, or assigns, upon
15 payment to the public condemnor of the full price paid to the owner when the property
16 was taken by eminent domain, together with interest at the legal rate to the date when
17 the decision was made to offer the return of the property. The public condemnor shall
18 specify a date by which the property must be reconveyed and the payment made, which
19 may not be less than 30 days after written notification to the original owner, or his heirs,
20 successors in interest, or assigns that the public condemnor has decided to offer the
21 return of the property.”

22 Sec. 2. This act is effective upon ratification.