

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1644\*

Short Title: Avery School Acquisition.

(Local)

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Sponsors: Representatives Flaherty; and Thompson.

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Referred to: Local and Regional Government I.

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May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO ALLOW AVERY COUNTY TO ACQUIRE PROPERTY FOR USE BY  
THE COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 885 of the 1989 Session Laws, as amended by Chapters 120, 533, 832, 848, 865, and 1001 of the 1991 Session Laws, and as codified as G.S. 153A-157, reads as rewritten:

"§ 153A-157. **Power to acquire property in certain counties.**

(a) A county may acquire, by gift, grant, devise, bequest, exchange, purchase, lease, or any other lawful method, the fee or any other lesser interest in real or personal property for use by the county or any department, board, commission, or agency of the county or a school administrative unit within the county. In exercising the power of eminent domain a county shall use the procedures of Chapter 40A.

The county shall use its authority under this section to acquire the fee or any lesser interest in real or personal property for use by a school administrative unit within the county only upon the request of the board of education of that school administrative unit and after a public hearing.

(b) This section applies to Avery, Bladen, Cabarrus, Carteret, Columbus, Duplin, Franklin, Iredell, Johnston, Pender, Richmond, Rowan, Sampson, and Stanly Counties."

Sec. 2. Notwithstanding the provisions of G.S. 115C-40 and G.S. 115C-521, local boards of education are authorized to enter into contracts for the erection or repair of school buildings upon sites owned in fee simple by one or more counties in which the local school administrative units are located.

1           Sec. 3. Notwithstanding the provisions of G.S. 115C-518 and G.S. 160A-  
2 274, a local board of education may lease or sell any of its property to the board of  
3 commissioners of the county in which the property is located for any price negotiated  
4 between the two boards.

5           Sec. 4. Sections 2 and 3 of this act apply only to Avery County and to local  
6 boards of education for school administrative units in or for the county. Section 3 of  
7 this act applies only to sales and leases of property in connection with additions,  
8 improvements, renovations, or repairs to the property or to some part of the property.

9           Sec. 5. This act is effective upon ratification.