

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 456

Short Title: New Bern Property Conveyance.

(Local)

Sponsors: Representatives Wainwright, Nichols, and Edwards.

Referred to: Local and Regional Government II.

March 22, 1993

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CONVEYANCE OF CERTAIN PROPERTY OWNED BY THE CITY OF NEW BERN TO THE NEUSE RIVER COMMUNITY DEVELOPMENT CORPORATION, INC.

The General Assembly of North Carolina enacts:

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

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

(a) Whenever a city or county is authorized to appropriate funds to any public or private entity which carries out a public purpose, the city or county may, in lieu of or in addition to the appropriation of funds, convey by private sale to such an entity any real or personal property which it owns; ~~provided no property acquired by the exercise of eminent domain may be conveyed under this section;~~ provided that no such conveyance may be made to a for-profit corporation. The city or county shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public use by the recipient entity. The procedural provisions of G.S. 160A-267 shall apply.

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

~~(c) The resolution or order required under G.S. 160A-267 for conveyances under this section must be approved by the unanimous affirmative vote of the council members or county board of commissioners, not counting vacancies or members excused from voting in order to be effective under this section.~~

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

1 Sec. 2. The City of New Bern may convey in accordance with G.S. 160A-
2 279, as amended by this act, to the Neuse River Community Development Corporation,
3 Inc., a nonprofit corporation, certain property described in this section for development
4 into affordable housing for persons of low and moderate income notwithstanding that
5 the property was acquired originally by the City of New Bern for parks, playgrounds,
6 and recreational use, and for the widening, extending, or improving of streets, alleys,
7 and sidewalks within the City of New Bern, to wit:

8 All that certain tract or parcel of land situate, lying and being in the City of
9 New Bern, Craven County, North Carolina, more particularly described as follows:

10 BEGINNING at the point of intersection of the southerly right of way line of
11 New South Front Street with the easterly right of way line of Norwood Street; thence
12 from said point of beginning southwardly along and with the easterly line of Norwood
13 Street to Lawson Creek; thence eastwardly along & with the northern line of Lawson
14 Creek to its point of intersection with the westerly right of way line of Liberty Street;
15 thence northwardly along and with the westerly right of way line of Liberty Street to its
16 point of intersection with the southerly right of way line of New South Front Street;
17 thence westwardly along and with the southerly right of way line of New South Front
18 Street to the point of beginning. Saving and excepting from the terms of this description
19 a lot located at the southwest corner of the intersection of New South Front Street with
20 Liberty Street, now, or formerly owned by Lynette Mann, which said lot is
21 approximately 100 feet by 100 feet.

22 Sec. 3. This act applies to the City of New Bern only and Section 1 applies
23 only to the conveyance authorized by Section 2 of this act.

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