

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 707  
Judiciary I Committee Substitute Adopted 5/7/91

Short Title: Return of Condemned Property.

(Public)

Sponsors:

Referred to:

April 18, 1991

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

The General Assembly of North Carolina enacts:

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

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

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

Whenever a public condemnor listed in G.S. 40A-3(b) or (c), or the Department of Transportation, acquires real property by condemnation and thereafter determines that the property is not needed for the purpose for which it was condemned, and the public condemnor or the Department of Transportation still owns the property, the public condemnor or the Department of Transportation may reconvey the property to the original owner, or his heirs, successors in interest, or assigns, upon payment to the public condemnor or the Department of Transportation of the full price paid to the owner when the property was taken by eminent domain, together with interest at the legal rate to the date when the decision was made to offer the return of the property. The public condemnor or the Department of Transportation shall specify a date by which the property must be reconveyed and the payment made, which may not be less than 30 days after written notification to the original owner, or his heirs, successors in interest, or assigns that the public condemnor or the Department of Transportation has decided to offer the return of the property.”

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