

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 315
HOUSE BILL 489

AN ACT TO AMEND ARTICLE 24 OF CHAPTER 153 OF THE GENERAL STATUTES TO PERMIT THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY TO EXERCISE THE POWER OF EMINENT DOMAIN WITH RESPECT TO WATER AND SEWER SYSTEMS IN THE SAME MANNER AS PERMITTED IN ARTICLE 9 OF CHAPTER 136 OF THE GENERAL STATUTES.

The General Assembly of North Carolina do enact:

Section 1. G.S. 153-284 as the same appears in the 1964 Replacement Volume 3C of the General Statutes of North Carolina is amended by inserting in subdivision (1) after the words "Chapter 40," appearing in line 7 and before the words "and improved" appearing in line 8 the following: "or as provided in (3) hereinafter," and by adding after subdivision (2) a new subdivision (3) to read as follows:

"(3) Use in the exercise of its authority of eminent domain under this Article the procedure and authority described in Article 9 of Chapter 136 of the General Statutes of North Carolina, as now appears or as hereafter amended, provided that whenever the words 'State Highway Commission,' 'Highway Commission' or 'Commission' appear therein they shall be deemed to mean the Board of Commissioners of Mecklenburg County, and provided further that whenever therein the words 'Director,' 'Director of Highways' or 'Director of Highway Commission' appear they shall be deemed to mean County Manager of Mecklenburg County; provided further that nothing herein shall be construed to enlarge the power of the Board of Commissioners of Mecklenburg County to condemn property already devoted to public use."

Sec. 2. The provisions of this Act shall apply only to Mecklenburg County.

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed to the extent of such conflict.

Sec. 4. This Act shall be in full force and effect from and after the date of its ratification, but that this Act shall not apply to any condemnation procedures in which a complaint or petition has been filed before said date of ratification.

In the General Assembly read three times and ratified, this the 28th day of April, 1969.