

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 784  
HOUSE BILL 723

AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO, AS REVISED AND REORGANIZED BY CHAPTER 1137 OF THE SESSION LAWS OF 1959 TO AUTHORIZE THE CITY OF GREENSBORO TO USE THE PROCEDURES OF ARTICLE 9 OF CHAPTER 136 OF THE GENERAL STATUTES RELATING TO CONDEMNATION BY THE STATE HIGHWAY COMMISSION.

The General Assembly of North Carolina enacts:

**Section 1.** Chapter VI, Subchapter B, Article 1, of the Charter of the City of Greensboro, as set forth in Chapter 1137 of the Session Laws of 1959, is amended by rewriting Section 6.118 to read as follows:

"Section 6.118. Alternative condemnation procedures. In exercising the power of eminent domain for any public purpose, if negotiations for the purchase of land or rights in land are unsuccessful, the City may in its discretion use the procedures of Article 2 of Chapter 40 of the General Statutes, or Article 9 of Chapter 136 of the General Statutes, or the procedures of any other general law, charter, or local act applicable to the City. As contained in the General Statutes above mentioned, wherever the words 'Highway Commission' or 'State Highway Commission' appear they shall be deemed to include 'city' or 'council' and wherever the words 'Administrator', 'Administrator of Highways', 'Administrator of the Highway Commission', 'chairman', or 'Chairman of the Highway Commission' appear they shall be deemed to include 'city clerk'."

Provided, however, that the provisions of this section shall not apply with regard to properties owned by public service corporations as defined in G.S. 160A-243(c) unless the exercise of such power of eminent domain is either consented to by the owner of the property to be acquired by the city or, otherwise, first adjudicated after notice and a hearing that such acquisition will not prevent or unreasonably impair the continued devotion to the public use of such properties and the operation by such public service corporation.

**Sec. 2.** This act shall become effective July 1, 1973.

In the General Assembly read three times and ratified, this the 23rd day of May, 1973.