

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1196
HOUSE BILL 1687

AN ACT TO ALLOW THE CITY OF WILSON TO ENTER CONTRACTS FOR THE REDEVELOPMENT OF LAND IN ADVANCE OF ITS ACQUISITION, TO DISPOSE OF PROPERTY AT PRIVATE SALE AND TO ENGAGE IN JOINT ACTIVITY FOR THE PURPOSE OF OBTAINING URBAN DEVELOPMENT ACTION GRANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-457 is amended by deleting the word "and" at the end of subsection (2).

Sec. 2. G.S. 160A-457 is amended by adding a new subsection to read:

"(4) To enter into contracts or agreements with any person, association or corporation to undertake and carry out specified activities in furtherance of the purposes of urban development action grants authorized by the Housing and Community Development Act of 1977 (P.L. 95-128). Such contracts may be negotiated and entered into prior to the actual acquisition or redevelopment of any real property obtained for the purposes authorized by this Part, and such contracts shall be binding legal commitments for accomplishing the purposes set forth therein; and".

Sec. 3. G.S. 160A-457 is amended by adding the following new subsection;

"(5) In addition to the powers granted in subsection (3), to convey at private sale to any person, firm, corporation, or governmental unit, particular properties within a redevelopment area where it finds the proposed redeveloper is the only known available, qualified and willing redeveloper for the contemplated use, and makes one or more of the following findings:

- (a) that the proposed use or redevelopment is necessary in order to facilitate the relocation of persons or firms displaced by an urban development action grant project or other governmental action;
- (b) that the proposed use or redevelopment is reasonably necessary in order to assure development which will have the desired beneficial effect upon neighboring property, the project area, and the community as a whole, as contemplated by the redevelopment plan;
- (c) that the proposed use or redevelopment will assure that the property will not remain unused for an unduly long period and will result in a return to the local ad valorem tax rolls at a substantially earlier date than uses or redevelopments obtainable by other methods of disposition.

These findings shall be verified and approved by the governing body of the municipality after a public hearing, notice of which shall be given once a week for two successive calendar weeks in a newspaper published in the municipality and by posting such notice at four public places in the municipality, said notice to be published the first time, or posted, not less than 15 days prior to the date fixed for said hearing.

Conveyances provided for by this subsection shall only be made in connection with urban development action grants. These conveyances shall be for such consideration as may be agreed upon by the city and redeveloper and approved by the governing body of the municipality, which shall not be less than the fair, actual value of the property as determined by the governing body of the municipality, based on competent evidence. All conveyances made under the authority of this subsection shall contain restrictive covenants limiting the use of property so conveyed to the designated purpose for which the conveyance is made."

Sec. 4. If any provision of this act is declared by any court of competent jurisdiction to be invalid or unconstitutional, such declaration shall not affect the validity of the remainder of the act.

Sec. 5. This act shall apply only to the City of Wilson.

Sec. 6. This act shall become null and void if the City of Wilson does not obtain an Urban Development Action Grant by July 1, 1982.

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1978.