

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 292
HOUSE BILL 364

AN ACT TO AUTHORIZE ALAMANCE COUNTY BOARD OF EDUCATION TO
DISPOSE OF CERTAIN LAND BY PRIVATE SALE, WHICH IS A PART OF
THE ELON COLLEGE ELEMENTARY SCHOOL PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. The Board of Education of Alamance County is hereby authorized to sell at private sale the following described property:

"That portion of Elon College Middle School property as owned by Alamance County Board of Education in Boone Station Township, Alamance County, North Carolina, in the Town of Elon College between Haggard Avenue (North Carolina Highway #100) and East Lebanon Avenue adjoining Antioch Avenue, College Avenue, Kerr Avenue and the lands of E. S. Lankford, Mrs. M. W. Hook and Boy Scout Hut, and bounded and described as follows:

Beginning at a point in the center of Antioch Avenue and 29 feet south of a corner in Haggard Avenue (this said point of beginning is located in control line back of south curb of Haggard Avenue) and running thence from said point of beginning and along the center line of Antioch Avenue south $2^{\circ} 01'$ west 389 feet to a point in the center of the intersection of Antioch Avenue and East College Avenue; thence with the center of East College Avenue south $89^{\circ} 00'$ east 427 feet to a point in the center of intersection of Kerr Avenue and East College Avenue; thence with the center of Kerr Avenue south $2^{\circ} 51'$ west 420 feet to the northern margin of East Lebanon Avenue; thence with the said margin of East Lebanon Avenue in an easterly direction approximately 294 feet to a corner with E. S. Lankford in the said margin of East Lebanon Avenue; thence with the line of said Lankford north $2^{\circ} 51'$ east approximately 390 feet to a corner in the line of said Lankford; thence in a northerly direction on a course approximately $2^{\circ} 39'$ east and with the line of Mrs. M. W. Hook and Boy Scout Hut property approximately 421 feet to southern curb of Haggard Avenue; thence with southern curb of Haggard Avenue and in a westerly direction along the back of curb of Haggard Avenue approximately 726 feet to the point of beginning."

Sec. 2. The sale of the above described property shall be subject to the following terms and conditions:

(a) Sale shall be made for cash payable in full upon delivery of deed to purchaser with purchaser granting to Alamance County Board of Education, at time deed is delivered, lease and permission to occupy said property without charge until Western Middle School property is completed and ready for occupancy.

(b) Report of sale of such property shall be filed with the secretary of the Alamance County Board of Education and with the Clerk of Superior Court of Alamance County and published once in a newspaper having general circulation in the County of Alamance, and such sale shall remain open for 10 days following such filing and publication of report of sale subject to upset bids which may be made during said 10-day period in the manner prescribed for making of upset bids in judicial sales of real property.

(c) If no upset bid is received within the time allowed for making of upset bids as provided, the Alamance County Board of Education may adopt resolution approving and confirming said sale, without necessity for any court authorization or approval, and proceed to convey the said real property and close purchase transaction as herein provided.

(d) In the event upset bid is made in the manner provided by law for making of upset bids in judicial sales of real property within the 10-day period following filing and publication of report of private sale, the Clerk of Superior Court of Alamance County shall order the said property resold in the manner provided by law for resales of real property in judicial sales, and the resale of such property following such upset bid; and procedure, therefor, shall be as prescribed by statute for judicial sales of real property.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 2nd day of May, 1977.