

NORTH CAROLINA GENERAL ASSEMBLY  
1977 SESSION

CHAPTER 432  
SENATE BILL 703

AN ACT TO AUTHORIZE THE TOWN OF MOUNT OLIVE TO EXERCISE THE  
POWER OF EMINENT DOMAIN PURSUANT TO ARTICLE 9, CHAPTER 136  
OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

**Section 1.** In addition to any other procedure authorized by law, the Town of Mount Olive is hereby authorized to exercise the power of eminent domain, both within and outside the corporate limits, for any purpose for which the town is authorized to acquire property by eminent domain, to the same extent authorized to the North Carolina Board of Transportation, pursuant to the procedures of Chapter 136, Article 9 of the General Statutes.

**Sec. 2.** 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. 160-243(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. 3.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 24th day of May, 1977.