

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 985
HOUSE BILL 1408

AN ACT TO AUTHORIZE ASHE AND ALLEGHANY COUNTIES TO PRIVATELY SELL OR LEASE REAL ESTATE OWNED, OR HEREAFTER OWNED BY IT, AS AN INDUSTRIAL PARK, OR FOR THE PURPOSE OF AN INDUSTRIAL DEVELOPMENT, AND AUTHORIZE ACQUISITION OF REAL PROPERTY FOR SUCH PURPOSE.

The General Assembly of North Carolina enacts:

Section 1. A county is exempt from all provisions, restrictions and limitations as to methods and procedures required to effectuate leases or sales of real estate provided for in Article 12, Chapter 160A, of the General Statutes in connection with any lease or sale of real estate made by it, as an industrial park, or for industrial development.

Sec. 2. A county is authorized to acquire, by purchase, devise, exchange, or gift, any real property or any interest in real property for the purpose of industrial development. The power of condemnation may not be used for such acquisition.

Sec. 3. (a) This act is effective with respect to purchase, sale or lease only if such purchase, sale or lease is given prior approval by a unanimous resolution of the Board of County Commissioners authorizing such purchase, lease or sale.

(b) Such lease or sale may be for cash or with deferred payments secured by a Purchase Money Deed of Trust. It is the intent that leases and sales may be negotiated and consummated without further formality other than the required resolution by the County Board of Commissioners on all terms as negotiated.

(c) In purchasing any real property under the authority of Section 2 of this act, the taxing power of a county is not and may not be pledged directly or indirectly to secure any moneys due to the seller or any other person but the county may otherwise acquire the property subject to any security interest, with the approval of the Local Government Commission.

Sec. 4. This act applies to Ashe and Alleghany counties only.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of October, 1981.