

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 1079
SENATE BILL 895

AN ACT TO AUTHORIZE THE COUNTY OF CUMBERLAND TO SELL INDUSTRIAL SITES IN ITS INDUSTRIAL PARK WITHOUT UTILIZING THE FORMAL BID REQUIREMENTS OF ARTICLE 12 OF CHAPTER 160A OF THE NORTH CAROLINA GENERAL STATUTES.

Whereas, the County of Cumberland is authorized pursuant to Chapter 153A-149(c)(16a) to provide for industrial development; and

Whereas, the County of Cumberland has undertaken to acquire and develop a county-owned industrial park known as the Cumberland Industrial Center located in Rockfish Township, County of Cumberland, State of North Carolina, and more particularly described in a set of restrictive covenants found in Book 2998, Page 811 of the Cumberland County Register of Deeds; and

Whereas, through the aforesaid set of restrictive covenants, the county has made provision to ensure the orderly development of the center as an industrial park for the purpose of enhancing the industrial and economic development of Cumberland County; and

Whereas, pursuant to G.S. 153A-176, counties are authorized to dispose of real or personal property pursuant to Article 12 of Chapter 160A of the North Carolina General Statutes; and

Whereas, the methods enumerated in Article 12 are not well suited for the purpose of selling industrial sites to potential industries seeking to locate within Cumberland County; and

Whereas, the continued recruitment of new industry is vital to the economic well-being of the County of Cumberland and the State of North Carolina; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The County of Cumberland is authorized to sell industrial sites in its industrial park known as the Cumberland Industrial Center, to industrial prospects subject to its restrictive covenants as appear of record, without utilizing the formal bid requirements of Article 12 of Chapter 160A of the North Carolina General Statutes. Sales conducted hereunder shall be accomplished in the following manner:

"(a) The county Manager of Cumberland County may, under a continuing resolution adopted by the Cumberland County Board of Commissioners, offer for sale and negotiate the terms of sale for any and all industrial sites located within the Cumberland Industrial Center. This resolution must be adopted at an open meeting of

the County Board of Commissioners once each year and shall designate any and all sites that are for sale and attach any additional terms and conditions for the sale of said land.

(b) At any time that the County Manager receives a written offer to purchase a site within the Cumberland Industrial Center the County Board of Commissioners, at any special or regular meeting, may agree to sell said property pursuant to the written offer without further notification or sales procedure.

(c) Within seven days of the acceptance of said offer, the County Board of Commissioners shall publish a resolution in a local daily paper of major circulation identifying the site to be sold and briefly enumerating the terms of the sale. This resolution is for the purposes of fully notifying the residents of Cumberland County of the Commissioners' action in disposing of the industrial sites within the county, but it is not to be construed as requiring additional form of approval or action."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 3rd day of July, 1984.