

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 60
HOUSE BILL 283

AN ACT TO AUTHORIZE THE CITY OF ALBEMARLE TO CONVEY AT PRIVATE SALE A TRACT OF LAND TO COLLINS AND AIKMAN CORPORATION ON A BASIS OTHER THAN THE HIGHEST MONETARY BID, BECAUSE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY.

Whereas, the tracts of the land hereinafter described were acquired by the City of Albemarle in 1955 and 1962. The tracts adjoin the site of an industrial facility operated by Collins and Aikman Corporation and until 1980 were used by the City of Albemarle as a settling basin in pretreating waste from the industrial facility prior to discharge into the city wastewater collection system; and

Whereas, in compliance with the requirements of the Federal Water Pollution Control Act Amendments of 1972 P.L. 92- 500, the City of Albemarle adopted a sewer use ordinance in 1980 requiring industrial users to pretreat waste prior to discharge into the city's wastewater collection system. Thereafter the city ceased using the land; and

Whereas, the tracts of land were acquired solely for the purpose of serving the adjoining industrial facility. The cost thereof was capitalized and the City of Albemarle has recovered its cost many times over through a sewer use charge levied against the industry for the pretreatment of industrial waste on said site. The land is surplus property of no useful purpose to the City of Albemarle and it is in the best interest of the city to divest itself of ownership of the site; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The governing authorities of the City of Albemarle, North Carolina are hereby authorized and empowered to convey to Collins & Aikman Corporation the lands hereinafter described without further consideration, at private sale without advertisement and bids, since such property is special purpose property and is deemed to be surplus property:

TRACT NO. 1: BEGINNING at an iron pipe in the west right-of- way line of the Carolina and Northwestern Railway Company (formerly Yadkin Railway Company), the same also being the southeast corner of Collins and Aikman Corporation's plant site property in said west right-of-way line, and running with Collins & Aikman Corporation's line N. 86-30 W. 98.3 feet to an iron stake, Collins & Aikman's corner; thence with another line of Collins & Aikman's S. 6-42-30 West 401.4 feet to an iron pipe in Collins & Aikman's line; thence a new line S. 86-30 E. 316.8 feet to an iron pipe in the west right-of-way line of the Carolina and Northwestern Railway Company;

thence with the west right-of-way line of the Carolina and Northwestern Railway Company as follows:

N. 28-13 W. 50 feet; N. 27-20 W. 100 feet; N 24-48 W. 100 feet; N. 21-6 W. 100 feet; N. 17-27 W. 100 feet to an iron pipe, the point of beginning and containing approximately two acres.

For reference see Deed Book 183, page 181, Stanly County Registry.

TRACT NO. 2: That portion of the 25 acre tract of Daniel Calvin Griggs and wife, Thelma Forrest Griggs, on the west side of the Carolina and Northwestern Railroad.

BEGINNING at an iron stake in Collins and Aikman's east line, the southwest corner of the City of Albemarle, North Carolina, and running thence with Collins and Aikman's line South 6-42-30 W. 350.0 feet to an iron stake in said line; thence a new line South 86-30 E. 554.27 feet to a point on the west right-of-way line of the Carolina and Northwestern Railroad; thence with the said west right-of-way line N. 28-27 W. 411.85 feet to a point on the said west right-of-way line; thence with the south line of the City of Albemarle, North Carolina, North 86-30 W. 316.77 feet to the beginning, and containing 3.494 acres.

Sec. 2. The Mayor and City Clerk of the City of Albemarle are hereby authorized and empowered to execute and deliver to Collins and Aikman Corporation a good and sufficient deed for the lands described in Section 1 above.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of March, 1983.