

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 70
SENATE BILL 170

AN ACT TO GRANT ADDITIONAL EMINENT DOMAIN POWERS TO THE
TOWN OF APEX FOR WATER AND SEWER LINES AND WATER AND
SEWER TREATMENT FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Apex, being Chapter 356, Session Laws of 1985, is amended by adding a new section to read:

"Sec. 6.5. Additional Eminent Domain Powers. Notwithstanding the provisions of G.S. 40A-1, in the exercise of its authority of eminent domain for the acquisition of property to be used for water lines and treatment facilities and sewer lines and treatment facilities, the town may use the procedure and authority prescribed in Article 9 of Chapter 136 of the General Statutes of North Carolina, as now or hereafter amended; provided further, that whenever therein the words 'Secretary' or 'Secretary of Transportation' appear, they shall be deemed to include the 'Town Manager'; provided further that nothing herein shall be construed to enlarge the power of the town to condemn property already devoted to public use."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 14th day of April, 1987.