

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 208

Short Title: Acquiring by Right-Condernation of Property. (Local)

Sponsors: Representatives McGee, Womble, and Parmon (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government.

March 3, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THE CITY OF WINSTON-SALEM THE RIGHT TO ACQUIRE
3 POSSESSION AND TITLE OF LAND CONDEMNED FOR PUBLIC
4 TRANSPORTATION PROJECTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 40A-42(a)(1) reads as rewritten:

7 "(a) (1) Standard Provision. – When a local public condemnor is acquiring property
8 by condemnation for a purpose set out in G.S. 40A-3(b)(1), (4) or (7), or
9 when a city is acquiring property for a purpose set out in G.S. 160A-311(1),
10 (2), (3), (4), (5), (6), or (7), or when a county is acquiring property for a
11 purpose set out in G.S. 153A-274(1), (2) or (3), or when a local board of
12 education or any combination of local boards of education is acquiring
13 property for any purpose set forth in G.S. 115C-517, or when a condemnor is
14 acquiring property by condemnation as authorized by G.S. 40A-3(c)(1), (8),
15 (9), (10), (12), or (13) title to the property and the right to immediate
16 possession shall vest pursuant to this subsection. Unless an action for
17 injunctive relief has been initiated, title to the property specified in the
18 complaint, together with the right to immediate possession thereof, shall vest
19 in the condemnor upon the filing of the complaint and the making of the
20 deposit in accordance with G.S. 40A-41."

21 **SECTION 2.** This act applies to the City of Winston-Salem only.

22 **SECTION 3.** This act is effective when it becomes law.

