GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 354
HOUSE BILL 566

AN ACT TO ALLOW MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE TO LEASE PROPERTY AT PRIVATE SALE FOR CHILD CARE PURPOSES, AND TO ELIMINATE THE REQUIREMENT THAT SUCH PRIVATE SALES BE APPROVED BY UNANIMOUS VOTE OF THE GOVERNING BOARD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-279 reads as rewritten:

"**§ 160A-279. Sale of property to entities carrying out a public purpose; procedure.**

(a) Whenever a city or county is authorized to appropriate funds to any public or private entity which carries out a public purpose, the city or county may, in lieu of or in addition to the appropriation of funds, convey by private lease or by private sale to such an entity any real or personal property which it owns; provided no property acquired by the exercise of eminent domain may be conveyed under this section; provided that no such conveyance may be made to a for-profit corporation, except for child care purposes, but the instrument of conveyance shall provide for a reverter. The city or county shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public use by the recipient entity. The procedural provisions of G.S. 160A-267 shall apply. G.S. 160A-266(b) shall not apply to conveyances for child care purposes.

(b) Notwithstanding any other provision of law, this section applies only to cities and counties and not to any other entity which this Article otherwise applies to.

(c) The resolution or order required under G.S. 160A-267 for conveyances under this section, other than conveyances for child care purposes, must be approved by the unanimous affirmative vote of the council members or county board of commissioners, not counting vacancies or members excused from voting in order to be effective under this section.

(d) This section does not limit the right of any entity to convey property by private sale when that right is conferred by another law, public, or local."

Sec. 2. Any city or county may appropriate funds to any public or private entity for construction or operation of child care facilities, or for provision of child care services, such an activity being for a public purpose.

Sec. 3. This act applies to Mecklenburg County and the City of Charlotte only.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of June, 1989.