

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 95

Short Title: Cumberland Industrial Sites.

(Local)

Sponsors: Representatives Beard; Hurley, Jarrell, McAllister, and Warner.

Referred to: Judiciary II.

February 18, 1991

A BILL TO BE ENTITLED

1 AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO
2 AUTHORIZE CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS
3 INDUSTRIAL PARK WITHOUT COMPLIANCE WITH G.S. 158-7.1(d).

4 The General Assembly of North Carolina enacts:

5 Section 1. Section 1 of Chapter 1079 of the 1984 Session Laws reads as
6 rewritten:

7 "Section 1. The County of Cumberland is authorized to sell industrial sites in its
8 industrial park known as the Cumberland Industrial Center to industrial prospects,
9 subject to its restrictive covenants as appear of record, without utilizing the formal bid
10 requirements of Article 12 of Chapter 160A of the ~~North Carolina~~ General Statutes or the
11 public notice requirements of G.S. 158-7.1(d). Sales conducted hereunder shall be
12 accomplished in the following manner:

13 (a) The County Manager of Cumberland County may, under a continuing
14 resolution adopted by the Cumberland County Board of Commissioners, offer for sale
15 and negotiate the terms of sale for any and all industrial sites located within the
16 Cumberland Industrial Center. This resolution must be adopted at an open meeting of
17 the County Board of Commissioners once each year and shall designate any and all sites
18 that are for sale and attach any additional terms and conditions for the sale of said land.

19 (b) At any time that the County Manager receives a written offer to purchase a
20 site within the Cumberland Industrial Center the County Board of Commissioners, at
21 any special or regular meeting, may agree to sell said property pursuant to the written
22 offer without further notification or sales procedure. Prior to accepting such offer the
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1 County Board of Commissioners shall determine the fair market value of the property,
2 subject to whatever covenants, conditions, and restrictions the Board proposes to subject
3 it to and the consideration for the conveyance may not be less than the value so
4 determined; provided, however, that the Board in arriving at the amount of
5 consideration that it receives, may take into account prospective tax revenues from
6 improvements to be constructed on the property, prospective sales tax revenues to be
7 generated in the area, as well as any other prospective tax revenues or income coming to
8 the County over the next 10 years as a result of the conveyance or lease.

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

15 Sec. 2. This act is effective upon ratification. All sales consummated in
16 accordance with Chapter 1079 of the 1984 Session Laws prior to the ratification of this
17 act are ratified.