

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 152*

Short Title: Indian Cultural Center Lease.

(Public)

Sponsors: Senators Martin of Guilford, Parnell, and Sherron.

Referred to: Appropriations.

February 15, 1993

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND THE DATE BY WHICH THE NORTH CAROLINA INDIAN
2 CULTURAL CENTER, INC., IS REQUIRED TO ENTER A LEASE WITH THE
3 STATE OF NORTH CAROLINA AND TO ALLOW THE RECEIPT OF
4 PLEDGES TO SATISFY THE FUND-RAISING CONDITION TO BE
5 INCLUDED IN THAT LEASE.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. Subsection (a) of Section 18 of Chapter 1074 of the 1989 Session
9 Laws, as amended by Subsection (e) of Chapter 900 of the 1991 Session Laws, reads as
10 rewritten:

11 "(a) The State of North Carolina shall lease out to the North Carolina Indian
12 Cultural Center, Inc., for a period of 99 years at a monetary consideration of one dollar
13 (\$1.00) per year all the real property it acquired for the Indian Cultural Center, but no
14 part of Phase I of the project may be constructed either by the State or for the lessee
15 until an environmental impact assessment is completed on Phase I of the property, and
16 if required pursuant to Article 1 of Chapter 113A of the General Statutes, an
17 environmental impact statement is prepared. The State shall enter into a lease agreement
18 in accordance with this section not later than ~~June 30,~~ December 31, 1993. If the State
19 and the North Carolina Indian Cultural Center, Inc., do not enter into a lease agreement
20 by ~~June 30,~~ December 31, 1993, then the property may be used for any public purpose.

21 Any lease agreement entered into by the State with the North Carolina Indian
22 Cultural Center, Inc., shall include but not be limited to the following terms:

- 23 (1) An environmental impact assessment pursuant to Article 1 of Chapter
24 113A of the General Statutes is completed on Phase I of the property.

- 1 (2) The lease shall include a reversionary clause stipulating that the North
2 Carolina Indian Cultural Center, Inc., must ~~have raise funds or receive~~
3 pledges totalling the \$4,160,000 necessary to complete Phase I of this
4 project ~~in their possession, unencumbered, and subject to its immediate~~
5 ~~disposal~~ within three years from the date of execution of the lease
6 agreement.
- 7 (3) If the funds or pledges are not ~~so possessed~~ obtained within three years
8 from the date of execution, then this lease agreement will
9 automatically terminate.
- 10 (4) The North Carolina Indian Cultural Center, Inc., as lessee, may
11 conduct no construction of Phase I on the premises until it has fulfilled
12 the terms of the lease agreement.
- 13 (5) The North Carolina Indian Cultural Center, Inc., as lessee, shall enter
14 into a sublease agreement with the operator of the land and buildings
15 known as the Riverside Golf Course to continue the operation and
16 maintenance of the Riverside Golf Course under the same terms as the
17 lease agreement between the State and the operator of the Riverside
18 Golf Course. The sublease agreement shall be renewable annually
19 until such time as the terms of the lease agreement as required under
20 subdivisions (1) through (4) of this subsection have been fulfilled."
21 Sec. 2. This act is effective upon ratification.