

NORTH CAROLINA GENERAL ASSEMBLY
1959 SESSION

CHAPTER 855
HOUSE BILL 1151

AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO LEASE OR GRANT
EASEMENTS IN CERTAIN LAND THAT IS NOT NEEDED FOR MUNICIPAL
PURPOSES.

WHEREAS, the City of Rocky Mount is the owner of a certain parcel of land, within its corporate limits in Nash County, constituting a small portion of a larger area now used as a municipal park; and

WHEREAS, said land is not now needed for park or other municipal purposes; and

WHEREAS, said land is ideally adaptable for use as the site of an electric power substation to be used by a public utility furnishing electricity to the City of Rocky Mount and such use is to and for the benefit of the City of Rocky Mount and its citizens: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. The governing body of the City of Rocky Mount, in the exercise of its discretion, is hereby authorized to lease or grant easements in that certain parcel of land within its corporate limits in Nash County, more particularly described as follows:

"COMMENCING at the northwest point or corner of the sediment basin of the Rocky Mount Water Plant along Riverside Drive, said point being the nearest point of said plant to Riverside Drive; thence along the northern base of the sediment basin in an easterly direction 99.4 feet to a corner of said sediment basin; thence making a turn to the left having an interior angle of 90 degrees and running along a line in a northerly direction across Riverside Drive 84.2 feet to a point in the northern edge of the right of way of Riverside Drive, which point is the point and place of BEGINNING; thence North 21 degrees 30 minutes West 144 feet more or less to the edge of the bank of the Tar River; thence in a westerly direction along the bank of the Tar River 168 feet to a point; thence South 21 degrees 30 minutes East 186.6 feet more or less to a point in the northern edge of the right of way of Riverside Drive; thence with the northern edge of the right of way of Riverside Drive in an easterly direction 173.6 feet to the point and place of BEGINNING."

The terms and conditions of said leases or easements shall be such as said governing body of said city deem appropriate and the mayor and city clerk of said city, upon being authorized by said governing body, are hereby empowered to execute such leases, deeds of easements, or other instruments necessary thereto.

Sec. 2. No lease or granting of easement in said property shall be had until notice thereof shall have been given to the public by publishing the same once a week for two successive weeks in a newspaper published in the City of Rocky Mount and a public hearing held in relation thereto, the first publication of said notice to be at least ten days prior to the public hearing. Such notice shall state (1) the intention of said governing body to consummate a lease or grant easements in said land, (2) a brief description of the property, (3) the terms of the proposed lease or easement, (4) the time and place of the public hearing, and (5) that any citizen objecting to the proposed lease or easement may present his objection at the public hearing.

Sec. 3. Section 59 of Chapter 160 of the General Statutes of North Carolina and all other laws or clauses of laws in conflict herewith shall be inapplicable to the transactions herein authorized.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of June, 1959.