

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1989**

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**HOUSE BILL 895**

Short Title: Guilford R.O.W. Acquisition.

(Local)

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Sponsors: Representatives Sizemore; Wood, Lineberry, Decker, Gist, and Bowie.

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Referred to: Infrastructure.

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March 27, 1989

**A BILL TO BE ENTITLED**

**AN ACT TO AUTHORIZE GUILFORD COUNTY TO ACQUIRE LAND FOR ROAD RIGHTS-OF-WAY FOR CONNECTORS BETWEEN SUBDIVISIONS AND CONNECTORS BETWEEN SUBDIVISIONS AND STATE-MAINTAINED ROADS BY DEDICATION AND ACCEPTANCE, PURCHASE, OR EMINENT DOMAIN.**

The General Assembly of North Carolina enacts:

Section 1. This act permits Guilford County to acquire land for road rights-of-way by dedication and acceptance, purchase, or eminent domain, in order to serve the public interest and to promote the public welfare and common good by improving the transportation system, by alleviating traffic congestion, and by improving safety for the benefit of the total road and street system of the county.

Sec. 2. Guilford County may appropriate and use funds to pay for road or street rights-of-way.

Sec. 3. When a land developer, municipality or the Department of Transportation constructs the road, title to the right-of-way land shall be transferred to the State or local unit having jurisdiction of the road, and Guilford County shall be paid its direct cost of the land for rights-of-way plus twenty-five percent (25%), not to exceed the appraised value of the land at the time it is transferred, by the governmental unit constructing the road.

Sec. 4. Provided that funds reimbursed to Guilford County by this process may be used by the county for additional purchases of rights-of-way under the process outlined above.

1           Sec. 5. In order to fund right-of-way acquisition costs for a future State  
2 highway system street project, Guilford County may use non-ad valorem tax revenues  
3 and any other revenues not otherwise restricted by law, including funds authorized by  
4 vote of the citizens, to fund the right-of-way acquisition costs for a project.

5           Sec. 6. Guilford County may appropriate and spend up to twenty-five  
6 thousand dollars (\$25,000) per annum per project for the purpose of acquiring road and  
7 street rights-of-way. Provided, however, that the amount spent for rights-of-way  
8 acquisitions hereunder shall be subject to and included with the spending limitation of  
9 five hundred thousand dollars (\$500,000) expressed by Local Act for interlocal  
10 agreement between Guilford County and one or more municipalities.

11           Sec. 7. The appraised value of rights-of-way acquired whole or in part by  
12 donation, gift, or contribution shall count against the funding limitation only to the  
13 amount of monies actually expended by the county.

14           Sec. 8. If a right-of-way is determined to be no longer needed, the county  
15 may dispose of the land or use it for other public purposes according to law.

16           Sec. 9. Nothing in this act shall be construed to limit or otherwise interfere  
17 with the rights and privileges of the Board of Transportation with respect to any project  
18 which is under the authority and control of the Board of Transportation.

19           Sec. 10. This act is effective upon ratification.