

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

1

HOUSE BILL 498

Short Title: Charlotte Property Disposition.

(Local)

Sponsors: Representatives Cunningham; Alexander, Black, Earle, Easterling, McLaughlin, McMahan, and C. Wilson.

Referred to: Local and Regional Government I.

March 20, 1995

A BILL TO BE ENTITLED

**AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE WITH
RESPECT TO THE DISPOSITION OF REAL PROPERTY TO PERSONS OF LOW
OR MODERATE INCOME.**

The General Assembly of North Carolina enacts:

Section 1. Section 9.22 of the Charter of the City of Charlotte being Chapter 713, Session Laws of 1965, as amended by Chapter 216, Session Laws of 1967, Chapter 92 of the Session Laws of 1983, and Chapter 343 of the Session Laws of 1985, reads as rewritten:

"Section 9.22. Real Property. The City Council shall have the power at all times to sell any real property belonging to the city after having advertised the same once a week for four (4) consecutive weeks in a newspaper published in Mecklenburg County following the procedure prescribed by the general laws of the State of North Carolina in the foreclosure of mortgages or deeds of trust under the power of sale therein contained; provided, that before any bid shall be deemed accepted or any sale made, or any title passed by virtue of said sale, such sale shall be confirmed by the City Council and said Council may, in its discretion, refuse confirmation, and when so authorized, a deed for said real estate may be executed by the Mayor and attested by the City Clerk, with the corporate seal of the city attached; provided, however, this Section shall not apply to

1 plots in the cemetery except as to the manner of execution of the deed. In the sale of real
2 estate, the city is authorized to execute deeds in the usual form and containing full
3 covenants of warranty.

4 The City Council is hereby authorized to sell, convey, transfer, or assign any or all
5 right, title and interest in or to real property owned by the City of Charlotte to other
6 governmental units at private sale, when in the judgment of the City, such real property is
7 no longer needed or suitable for the purposes of the City, or when such sale is deemed to
8 be in the public interest.

9 The City may convey interests in real property owned by it by private negotiation or
10 sale, with respect to parcels of property having a fair market value of ten thousand dollars
11 (\$10,000) or less, and Article 12 of Chapter 160A of the General Statutes shall not apply
12 to such dispositions. The City Manager is authorized and empowered to approve such
13 dispositions.

14 The City may, in addition to other authorized means, convey real property owned by
15 it to persons of low or moderate income for residential purposes using the negotiated
16 offer, advertisement, and upset bid process and requirements established by G.S. 160A-
17 269, provided, however, the City may lower the bid deposit requirement to an amount not
18 less than one percent (1%) of an offeror's bid."

19 Sec. 2. This act is effective upon ratification.