

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE BILL 950*

Short Title: Sanford/Convey Property. (Local)

Sponsors: Senator Atwater (Primary Sponsor).

Referred to: State and Local Government.

May 31, 2012

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE CITY OF SANFORD TO CONVEY CERTAIN PROPERTY
AT A PUBLIC OR PRIVATE SALE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) When the City Council determines that a sale or disposition of real property owned by the City which has been listed on the inactive hazardous waste site list by the North Carolina Department of Environment and Natural Resources will advance or further any Council-adopted economic development, transportation, urban revitalization, community development, or land-use plan or policy, the City may, in addition to other authorized means, sell, exchange, or transfer the fee or any lesser interest in the real property, either by public sale or by negotiated private sale, with no liability therefore. The City may attach to the transfer and to the interest conveyed any covenants, conditions, or restrictions, or a combination thereof, the City deems necessary to further the adopted policies or plans. The consideration received by the City, if any, for the conveyance, may reflect the restricted use of the property resulting from the covenants, conditions, or restrictions. An interest in the property described in this subsection may be conveyed only pursuant to resolution of the Council authorizing the conveyance. Notice of the proposed transaction shall be given at least 10 days prior to adoption of the resolution by publication in a newspaper of general circulation, generally describing (i) the property involved; (ii) the nature of the interest to be conveyed; and (iii) all of the material terms of the proposed transaction, including any covenants, conditions, or restrictions which may be applicable. The notice shall give the time and place of the Council meeting where the proposed transaction will be considered and shall announce the Council's intention to authorize the proposed transaction.

SECTION 1.(b) Prior to disposing of any property described in subsection (a) of this section by negotiated private sale, the City shall solicit sealed bids by advertisement in a newspaper widely distributed in Lee County or through electronic means, or both as determined by the City Council to be most advantageous, at least once and at least 10 days prior to the date designated for opening the bids. The advertisement shall specify the fact that there is no minimum sale price for the property and that the property will be sold to the highest bidder. The City shall solicit bids as provided in this subsection at least three times prior to disposing of the property by negotiated private sale. The City shall maintain in the Office of the City Clerk a record of each attempt to sell the property.

SECTION 1.(c) The authority granted in this act applies to the Whitten Roberts site only.

SECTION 2. This act applies to the City of Sanford only.

SECTION 3. This act is effective when it becomes law.

