



HOUSE BILL 757: Pender County/Butner Property Transfers.

2019-2020 General Assembly

Committee:		Date:	December 16, 2019
Introduced by:		Prepared by:	Brad Krehely Staff Attorney
Analysis of:	S.L. 2019-137		

OVERVIEW: *S.L. 2019-137 requires the State of North Carolina to convey to the Pender County Board of Commissioners, for \$1.00, all its rights, titles, and interests in approximately 100 acres of land to be used as a jail and law enforcement center and to convey to the Town of Butner, for \$1.00, all its rights, titles, and interests in the former Umstead Correctional Center in Butner.*

The act became effective July 19, 2019.

CURRENT LAW: Article 7 of Chapter 146 governs disposition of State property and requires that sales of land owned by the State must be made by the Department of Administration and approved by the Governor and Council of State. Article 16 of Chapter 146 establishes the form of conveyances for State property and within that Article, G.S. 146-74 requires that proposed conveyances to be submitted to the Governor and Council of State for approval.

BILL ANALYSIS:

PART I. TRANSFER STATE OWNED LANDS TO PENDER COUNTY TO BE USED FOR A NEW JAIL AND LAW ENFORCEMENT CENTER

Part I of S.L. 2019-137 requires the State of North Carolina to convey to the Pender County Board of Commissioners, for \$1.00, all its rights, titles, and interests in approximately 100 acres of land to be used as a jail and law enforcement center. The conveyance does not need approval of the Governor and Council of State. The act requires the Department of Administration to consult with the Pender County Board of Commissioners to ensure that the property is suitable for use as a jail and law enforcement center. The property reverts back to the State if it ceases being used as a jail and law enforcement center. The conveyance is "as is" and "where is" without representations or warranties concerning the title to the property, its boundaries, the uses to which the property may be put, zoning, local ordinances, or any physical, environmental, health, and safety conditions relating to the property. All costs associated with the conveyance of the property are paid by Pender County.

PART II. TRANSFER STATE-OWNED LANDS TO THE TOWN OF BUTNER

Part II of S.L. 2019-137 requires the State of North Carolina to convey to the Town of Butner, for \$1.00, all its rights, titles, and interests in the former Umstead Correctional Center—bounded by West D Street and 12th Street in Butner, North Carolina, consisting of approximately 36 acres held by the North Carolina Department of Health and Human Services and the North Carolina Department of Public Safety. The conveyance does not need approval of the Governor and Council of State. The conveyance is "as is" and "where is" without representations or warranties concerning the title to the property, its boundaries, the uses to which the property may be put, zoning, local ordinances, or any physical, environmental, health,

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and safety conditions relating to the property. All costs associated with the conveyance of the property are borne by the Town of Butner.

EFFECTIVE DATE: The act became effective July 19, 2019.

Billy R. Godwin, Staff Attorney for the Legislative Analysis Division, contributed substantially to this summary.