



# SENATE BILL 203: City of Wilmington/Property Conveyances.

2025-2026 General Assembly

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<b>Committee:</b>	Senate State and Local Government. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	March 11, 2025
<b>Introduced by:</b>	Sens. Lee, Rabon	<b>Prepared by:</b>	Ike McRee
<b>Analysis of:</b>	First Edition		Committee Co-Counsel

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**OVERVIEW:** *Senate Bill 203 would amend the Charter of the City of Wilmington to authorize an additional method by which the City of Wilmington could sell, exchange, or otherwise transfer real property.*

**CURRENT LAW:** The authority of and procedures for a municipality to sell or dispose of real property is governed by Article 12 of Chapter 160A. Subject to certain limitations, a city can dispose of real or personal property belonging to the city by:

- Private negotiation and sale – G.S. 160A-266.
- Advertisement for sealed bids – G.S. 160A-268.
- Negotiated offer, advertisement, and upset bid – G.S. 160A-269.
- Public auction – G.S. 160A-270.
- Exchange – G.S. 160A-271.

**BILL ANALYSIS:** Senate Bill 203 would amend the Charter of the City of Wilmington to authorize the City of Wilmington to convey real property without need to comply with Article 12 of Chapter 160A of the General Statutes, if the City Council approves the sale, exchange, or transfer of the fee or any lesser interest in real property either by public sale or by negotiated private sale, conditioned upon any covenants, conditions, or restrictions, or a combination of them, to the transfer. Any transfer under this authority must be in furtherance of adopted City policies or plans for the area, and must be done by resolution adopted by the City Council. At least 10 days prior to adoption of the resolution, notice by publication of the proposed transaction must be given by the City. The notice by publication must:

- Describe the property involved, the nature of the interest to be conveyed, and all the material terms of the proposed transaction.
- Provide the time and place of the City Council meeting where the proposed transaction will be considered.
- Announce the City Council's intention to authorize the transaction.

The terms of the conveyance may include any of the following:

- The consideration received by the City for the conveyance may reflect the restricted use of the property resulting from the restrictions.

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# Senate Bill 203

Page 2

- The City may invite bids or written proposals, including development plans and site plans, for the purchase of the property or property interest.
- The sale or transfer of property, or an interest in property, may be made contingent upon necessary rezoning of the property.

**EFFECTIVE DATE:** Senate Bill 203 would become effective when it becomes law.

**BACKGROUND:** The General Assembly has previously authorized similar authority for the City of Raleigh (S.L. 2015-253), Town of Cary (S.L. 2016-68), and City of High Point (S.L. 2024-20).

*Nicholas Giddings and Karyl Smith, Staff Attorneys for the Legislative Analysis Division, substantially contributed to this summary.*