



HOUSE BILL 757: Pender County/Butner Property Transfers.

2019-2020 General Assembly

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| Committee: | Senate Rules and Operations of the Senate | Date: | June 26, 2019 |
| Introduced by: | Rep. C. Smith | Prepared by: | Brad Krehely |
| Analysis of: | Second Edition | | Staff Attorney |

OVERVIEW: House Bill 757 would require the State of North Carolina to convey to the Pender County Board of Commissioners, for one dollar (\$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 one dollar (\$1.00), all its rights, titles, and interests in the former Umstead Correctional Center in Butner.

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 House Bill 757 would require the State of North Carolina to convey to the Pender County Board of Commissioners, for one dollar (\$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 would not need approval of the Governor and Council of State. The bill would require 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 would revert back to the State should it cease being used as a jail and law enforcement center. The conveyance would be "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 would be paid by Pender County.

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

Part II of House Bill 757 would require the State of North Carolina to convey to the Town of Butner, for one dollar (\$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 would not need approval of the Governor and Council of State. The conveyance would be "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

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physical, environmental, health, and safety conditions relating to the property. All costs associated with the conveyance of the property shall be borne by the Town of Butner.

EFFECTIVE DATE: The act would be effective when it becomes law.

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