

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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SENATE BILL 719

Short Title: TTA Eminent Domain.

(Public)

Sponsors: Senators Gulley; Hartsell, Horton, Lucas, Miller, Rand, and Reeves.

Referred to: Judiciary I.

March 28, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN
3 PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION
4 AUTHORITY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 40A-42(a) reads as rewritten:

7 "(a) When a local public condemnor is acquiring property by condemnation for a
8 purpose set out in G.S. 40A-3(b)(1), (4) or (7), or when a city is acquiring property for a
9 purpose set out in G.S. 160A-311(1), (2), (3), (4), (6), or (7), or when a county is
10 acquiring property for a purpose set out in G.S. 153A-274(1), (2) or (3), or when a local
11 board of education or any combination of local boards of education is acquiring
12 property for any purpose set forth in G.S. 115C-517, or when a condemnor is acquiring
13 property by condemnation as authorized by G.S. 40A-3(c)(8), (9), ~~(10) or (12)~~, (10),
14 (12), or (13), title to the property and the right to immediate possession shall vest
15 pursuant to this subsection. Unless an action for injunctive relief has been initiated, title
16 to the property specified in the complaint, together with the right to immediate
17 possession thereof, shall vest in the condemnor upon the filing of the complaint and the
18 making of the deposit in accordance with G.S. 40A-41."

19 **SECTION 2.** This act is effective when it becomes law.