

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 1037
Committee Substitute Favorable 5/12/16
Senate State and Local Government Committee Substitute Adopted 6/2/16
Fourth Edition Engrossed 6/6/16

Short Title: Lincolnton Airport/Davie Cor. Cent.

(Local)

Sponsors:

Referred to:

May 5, 2016

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LINCOLNTON-LINCOLN COUNTY AIRPORT AUTHORITY TO ENTER INTO CERTAIN CONTRACTS FOR A PERIOD GREATER THAN TWENTY-FIVE YEARS, TO MAKE TECHNICAL CORRECTIONS TO THE SESSION LAWS RELATED TO THE AIRPORT AUTHORITY, AND TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS.

The General Assembly of North Carolina enacts:

SECTION 1. Subsection (a) of Section 4 of Chapter 10 of the Session Laws of the 1996 Second Extra Session reads as rewritten:

"Sec. 4. (a) The Airport Authority shall constitute a body, both corporate and politic, and shall have the following powers and authority:

...

(10) To operate, own, lease, control, regulate, or grant to others, for a period not to exceed ~~25~~50 years, the right to operate on any airport premises restaurants, snack bars, vending machines, food and beverage dispensing outlets, rental car services, catering services, novelty shops, insurance sales, advertising media, merchandising outlets, motels, hotels, barber shops, automobile parking and storage facilities, automobile service establishments, and all other types of facilities as may be directly or indirectly related to the maintenance and furnishing to the general public of a complete air terminal installation.

(11) To contract with persons, firms, or corporations for terms not to exceed ~~25~~50 years, for the operation of airline-scheduled passenger and freight flights, nonscheduled flights, and any other airplane activities not inconsistent with the grant agreements under which the airport property is held.

(12) To erect and construct buildings, hangars, shops, and other improvements and facilities, not inconsistent with or in violation of the agreements applicable to and the grants under which the real property of the airport is held; to lease these improvements and facilities for a term or terms not to exceed ~~25~~50 years; to borrow money for use in making and paying for these improvements and facilities, secured by and on the credit only of the lease agreements in respect to these improvements and facilities, and to pledge and assign the leases and lease agreements as security for the authorized loans.

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1 **SECTION 2.** Chapter 286 of the 1977 Session Laws is repealed.

2 **SECTION 3.** The State of North Carolina shall convey to the Davie County Board of
3 Commissioners, for consideration of one dollar (\$1.00), all its rights, titles, and interests in that
4 portion of the former Davie County Correctional Center property that resides in Parcels J-4-23 and
5 J-3-24, Davie County Tax Maps, as seen in the Office of the Tax Administrator's office in Davie
6 County, North Carolina, that lies west of the western right-of-way of Westside Drive in
7 Mocksville, North Carolina. This property consists of approximately 23.62 acres. The conveyance
8 is subject to a reversionary interest reserved by the State. The property shall be conveyed to the
9 Davie County Board of Commissioners for so long as it is utilized for county government
10 purposes.

11 **SECTION 4.** The State of North Carolina shall convey the real property described in
12 Section 3 of this act "as is" and "where is" without warranty. The State makes no representations
13 or warranties concerning the title to the property, the boundaries of the property, the uses to which
14 the property may be put, zoning, local ordinances, or any physical, environmental, health, and
15 safety conditions relating to the property. All costs associated with the conveyance of the property
16 shall be borne by Davie County.

17 **SECTION 5.** The conveyance of the State's rights, titles, and interests in the real
18 property described in Section 3 of this act shall be exempt from the provisions of Article 7 of
19 Chapter 146 of the General Statutes. The conveyance shall comply with the provisions of Article
20 16 of Chapter 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not
21 apply.

22 **SECTION 6.** Sections 3, 4, and 5 of this act become effective October 1, 2016. The
23 remainder of this act is effective when it becomes law.