

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**HOUSE BILL 757  
RATIFIED BILL**

AN ACT TO CONVEY CERTAIN STATE-OWNED LANDS TO PENDER COUNTY TO BE USED FOR A NEW JAIL AND LAW ENFORCEMENT CENTER AND TO CONVEY CERTAIN STATE-OWNED LANDS TO THE TOWN OF BUTNER.

The General Assembly of North Carolina enacts:

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

**SECTION 1.** The State of North Carolina shall convey to the Pender County Board of Commissioners, for consideration of one dollar (\$1.00), all its rights, titles, and interests in approximately 100 acres of the approximately 350-acre parcel identified with Land Asset ID 6095 in the inventory of State-owned land maintained by the Department of Administration pursuant to G.S. 143-341. This is the same property identified with PIN 3229-04-1665-0000 and PIN 3219-86-9643-0000, as seen in the Office of the Tax Administrator in Pender County, and conveyed to the State in Deed Book 211, Page 279, and Deed Book 244, Page 452, Pender County Registry. The Department of Administration, in consultation with the Pender County Board of Commissioners, shall ensure that the property transferred is suitable for carrying out the uses described in Section 2 of this act. The portion of State land to be conveyed is more properly described as follows:

BEGINNING at a found PK nail in the center of Old Savannah Road, said point being the southeast corner of the property of Jeremy Bryan Batts (D.B. 4540, Pg. 214) and the northeast corner of the property herein described; Thence with the center of said Old Savannah Road the following courses:

S 35°04'59" E, 356.90 feet to a point;  
S 40°44'44" E, 153.66 feet to a point;  
S 43°47'35" E, 919.20 feet to a point;  
S 44°51'27" E, 151.61 feet to a point;  
S 51°20'38" E, 128.30 feet to a PK Nail set;

Thence leaving said Old Savannah Road and with a new line through the property of the Pender County Correctional Center (D.B. 244, Pg. 452), S 69°34'12" W, 1181.54 feet to an iron pin set; thence S 42°31'45" W, 339.68 feet to an iron pin set; thence S 78°52'12" W, 362.36 feet to an iron pin set; thence S 56°45'56" W, 748.71 feet to an iron pin set; thence S 72°39'01" W, 139.78 feet to an iron pin set; thence N 47°31'10" W, 214.67 feet to an iron pin set; thence N 08°29'51" W, 2064.45 feet to an iron pin set in the center of Bay Branch, said point being on the southerly property line of Samuel J. Hope (D.B. 4026, Pg. 201); thence, generally with Bay Branch and said Samuel J. Hope property (property line follows center of Bay Branch), N 61°51'33" E, 523.32 feet to a point; thence continuing with branch, N 81°25'00" E, 74.64 feet to a point, thence continuing with said branch, S 89°58'55" E, 1231.45 feet to the POINT OF BEGINNING and being New Tract "A" containing 100.000 Ac. Pender County shall have a right of way between this property and the Penderlea Highway across property that will remain owned by the State of North Carolina.



**SECTION 2.** The conveyance pursuant to Section 1 of this act is subject to a reversionary interest reserved by the State. The property shall be conveyed to the Pender County Board of Commissioners for so long as it is utilized as a jail and law enforcement center. Notwithstanding the foregoing, Pender County may grant a deed of trust or similar security instrument related to the property in connection with the financing or refinancing of construction, acquisition, and equipping of the intended facility or the financing or refinancing of improvements, additions, or repairs to the property.

**SECTION 3.** The State of North Carolina shall convey the real property described in Section 1 of this act "as is" and "where is" without warranty. The State makes no representations or warranties concerning the title to the property, the boundaries of the property, 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 shall be borne by Pender County.

**SECTION 4.** The conveyance of the State's rights, titles, and interests in the real property described in Section 1 of this act shall be exempt from the provisions of Article 7 of Chapter 146 of the General Statutes. The conveyance shall comply with the provisions of Article 16 of Chapter 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not apply.

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

**SECTION 5.** The State of North Carolina shall convey to the Town of Butner, for consideration of one dollar (\$1.00), all its rights, titles, and interests in approximately 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.

**SECTION 6.** The State of North Carolina shall convey the real property described in Section 5 of this act "as is" and "where is" without warranty. The State makes no representations or warranties concerning the title to the property, the boundaries of the property, 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 shall be borne by the Town of Butner.

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

## **PART III. EFFECTIVE DATE**

**SECTION 8.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 10<sup>th</sup> day of July, 2019.

s/ Ralph E. Hise  
Presiding Officer of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

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Roy Cooper  
Governor

Approved \_\_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2019