

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 224
House Committee Substitute Favorable 6/2/22

Short Title: San. Dist. Amendment/Property Transfer. (Public)

Sponsors:

Referred to:

March 11, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE SANITARY DISTRICTS TO CREATE, MAINTAIN, AND
3 OPERATE PARKS AND RECREATION PROGRAMS AND FACILITIES AND TO
4 TRANSFER A PORTION OF THE COLUMBUS CORRECTIONAL FACILITY TO THE
5 COLUMBUS COUNTY BOARD OF COMMISSIONERS.

6 The General Assembly of North Carolina enacts:

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8 **AUTHORIZE SANITARY DISTRICTS TO CREATE, MAINTAIN, AND OPERATE**
9 **PARKS AND RECREATION PROGRAMS AND FACILITIES**

10 SECTION 1. G.S. 130A-55 reads as rewritten:

11 "§ 130A-55. Corporate powers.

12 A sanitary district board shall be a body politic and corporate and may sue and be sued in
13 matters relating to the sanitary district. Notwithstanding any limitation in the petition under
14 G.S. 130A-48, but subject to the provisions of G.S. 130A-55(17)e, each sanitary district may
15 exercise all of the powers granted to sanitary districts by this Article. In addition, the sanitary
16 district board shall have the following powers:

17 ...
18 (4a) To provide for the creation, maintenance, and operation of parks and
19 recreation programs and facilities with all the powers provided to cities and
20 counties in G.S. 160A-353. However, a sanitary district may not exercise the
21 power of eminent domain to acquire real property for parks and recreation
22 programs or facilities.

23"

24
25 **TRANSFER A PORTION OF THE COLUMBUS CORRECTIONAL FACILITY TO**
26 **THE COLUMBUS COUNTY BOARD OF COMMISSIONERS**

27 SECTION 2.(a) The State of North Carolina shall convey to the Columbus County
28 Board of Commissioners, for consideration of one dollar (\$1.00), all its right, title, and interest
29 in the property located adjacent to Columbus Correctional Institution currently leased to
30 Columbus County for use as the Columbus County Agriculture Fairground, to be described as a
31 subdivision consisting of approximately 18.26 AC+/- from the property generally described in
32 the Columbus County Register of Deeds deed referenced in Book 147 Page 315. The conveyance
33 is subject to a reversionary interest reserved by the State. The property shall be conveyed to the
34 Columbus County Board of Commissioners for so long as it is utilized for county government
35 purposes.



1 The Department of Public Safety and Columbus County shall mutually develop the
2 boundaries of the property to be subdivided for conveyance to Columbus County. The property
3 conveyed shall include only property currently leased to Columbus County for use as the
4 Columbus County Agriculture Fairground as generally described by the Columbus County lease
5 agreement as referenced in Book 322 Page 776 and amended as referenced in Book 342 Page
6 677 in the Columbus County Register of Deeds, totaling approximately 18.26 AC+/-.

7 **SECTION 2.(b)** The State of North Carolina shall convey the real property described
8 in Section 2(a) of this act "as is" "where is" without warranty and subject to any existing
9 easements, covenants, earlier grants to others by the State Property Office, or other restrictions
10 of record. The State makes no representations or warranties concerning the title to the property,
11 the boundaries of the property, the uses to which the property may be put, zoning, local
12 ordinances, or any physical, environmental, health, and safety conditions relating to the property.
13 All costs associated with the conveyance of the property, including, but not limited to,
14 subdivision, surveying, engineering services, permitting, and utility connections shall be borne
15 by Columbus County.

16 **SECTION 2.(c)** The conveyance of the State's right, title, and interest in the
17 Columbus Correctional Facility shall be exempt from the provisions of Article 7 of Chapter 146
18 of the General Statutes. The conveyance shall comply with the provisions of Article 16 of Chapter
19 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not apply.

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21 **EFFECTIVE DATE**

22 **SECTION 3.** This act is effective when it becomes law.