

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 707  
Judiciary I Committee Substitute Adopted 5/7/91  
Third Edition Engrossed 5/13/91  
House Committee Substitute Favorable 7/9/92

Short Title: Return of Condemned Property.

(Public)

Sponsors:

Referred to:

April 18, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE PROCEDURES FOR THE RETURN OF CONDEMNED  
PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 40A of the General Statutes is amended by adding a new  
Article to read:

**“ARTICLE 5.**

**“RETURN OF CONDEMNED PROPERTY.**

**“§ 40A-70. Return of condemned property.**

Whenever a public condemnor listed in G.S. 40A-3(b) or (c) acquires real property by condemnation and thereafter determines that the property is not needed for the purpose for which it was condemned, and the public condemnor still owns the property, the public condemnor may reconvey the property to the original owner upon payment to the public condemnor of the full price paid to the owner when the property was taken by eminent domain, the cost of any improvements, together with interest at the legal rate to the date when the decision was made to offer the return of the property. Unless the public condemnor acquired the entire lot, block, or tract of land belonging to the original owner, the original owner must own the remainder of the original lot, block, or tract of land from which the property was acquired to purchase the property pursuant to this section. The public condemnor shall specify a date by which the property must be reconveyed and the payment made, which may not be less than 30 days after written

- 1 notification to the original owner that the public condemnor has decided to offer the
- 2 return of the property."
- 3           Sec. 2. This act is effective upon ratification.