

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 623**

Short Title: Clayton Annexations.

(Local)

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Sponsors: Senator Wellons.

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Referred to: Finance.

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March 22, 2001

A BILL TO BE ENTITLED

1  
2 AN ACT TO AUTHORIZE THE TOWN OF CLAYTON TO ENTER INTO  
3 AGREEMENTS FOR PAYMENTS IN LIEU OF ANNEXATION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Notwithstanding any applicable provision of the General  
6 Statutes or any other public or local law, the Town of Clayton is granted certain contract  
7 powers as follows:

8 (1) The Town of Clayton may, by individual and specific agreements,  
9 provide that certain property described in Section 4 of this act may not  
10 be involuntarily annexed by the Town prior to December 30, 2006,  
11 under the General Statutes as they now exist or may be subsequently  
12 amended. The Town of Clayton shall not seek to repeal this act upon  
13 its approval by the General Assembly. Nothing in this act impairs the  
14 right of the General Assembly to annex any such property by special  
15 local act.

16 (2) Any agreements entered into as provided in subdivision (1) of this  
17 section are deemed by this section to be proprietary and commercial in  
18 nature and are specifically determined to be consistent with the public  
19 policy of the State of North Carolina.

20 (3) Any agreements entered into as provided in subdivision (1) of this  
21 section are continuing agreements and are binding on and enforceable  
22 against the current and future members of the Town Council of the  
23 Town of Clayton during the full term of the agreements and any  
24 extensions thereof.

25 (4) The parties to any agreements entered into as provided in subdivision  
26 (1) of this section are authorized by this section to modify, amend, and  
27 extend the agreements on mutual written consent, without the approval

1 of the General Assembly, provided that any modification or  
2 amendment does not materially alter the concept of the agreements.

3 **SECTION 2.** The Town of Clayton may accept, as consideration for the  
4 agreements, "Payments in lieu of taxes."

5 **SECTION 3.** Payments in lieu of taxes under this act shall be annually  
6 computed based upon the tax assessment of the relevant and designated tracts, including  
7 improvements, as determined by the Johnston County Tax Assessor's Office, with the  
8 formula for making the computation being stated in the agreement referenced under  
9 Section 1 of this act.

10 **SECTION 4.** The agreements under Section 1 of this act shall apply to the  
11 following described properties:

12	Tax Parcel Number	Owner	Acreage
13	05I04002A	Caterpillar, Inc.	145.53
14	05I05001D	Cutter Labs. % Bayer	58.91
15	05I05001E	Bayer Corp.	54.65
16	05I05001F	Bayer Corp.	72.75
17	05E99010H	Novo Nordisk	8.27
18	05I05008A	Novo Nordisk	202.87
19	05E99010G	Novo Nordisk	46.95

20 **SECTION 5.** This act is effective when it becomes law.  
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