

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 955
May 16, 2018
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10445-LM-126A

Short Title: Eden/Thoroughbred Annexation Agreement. (Local)

Sponsors: Representative Bert Jones.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE CITY OF EDEN TO ENTER INTO AN ANNEXATION
3 AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

4 The General Assembly of North Carolina enacts:

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

- 7 (1) The City of Eden may, by agreement, provide that certain property, described
8 in Section 3 of this act as "Thoroughbred Property," may not be involuntarily
9 annexed by the City during the period beginning January 31, 2018, and ending
10 February 1, 2028, under the General Statutes as they now exist or may be
11 subsequently amended, except as provided in the agreement. The City of Eden
12 shall not seek to repeal this act upon its approval by the General Assembly.
- 13 (2) Any agreement entered into as provided in subdivision (1) of this section is
14 specifically determined to be proprietary and commercial in nature and is
15 specifically determined to be consistent with the public policy of the State of
16 North Carolina.
- 17 (3) Any agreement entered into as provided in subdivision (1) of this section is a
18 continuing agreement and is binding on and enforceable against the current
19 and future members of the City Council of the City of Eden during the full
20 term of the agreement and any extension thereof.
- 21 (4) The parties to any agreement entered into as provided in subdivision (1) of
22 this section shall be authorized by this act to further modify, amend, and
23 extend the agreement on mutual written consent, without the approval of the
24 General Assembly, provided that any modification or amendment does not
25 materially alter the concept of the agreement.

26 **SECTION 2.** The City of Eden may accept payments in lieu of taxes as consideration
27 for the agreement authorized by Section 1 of this act. Payments in lieu of taxes under this act
28 shall be annually computed based upon the tax valuations of the property subject to the agreement
29 under Section 1 of this act as determined by the Rockingham County Tax Department, with the
30 formula for making the computation being stated in the agreement.

31 **SECTION 3.** The agreement authorized by Section 1 of this act shall apply to the
32 Thoroughbred Property described as follows:

33 LYING AND BEING in Rockingham County and BEING the 26.3273 acres
34 including a one story concrete block warehouse as shown on survey entitled "Parkdale America,
35 LL" Subdivision, Survey for Parkdale America, LLC & A.C. Furniture, Inc., by Tanner and
36 McCannaughey, P.A., Professional Surveyors, dated March 3, 2005, and revised April 11, 2005,



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1 as recorded in Map Book 56, Page 72, Rockingham County Registry. LYING AND BEING in
2 Rockingham County and BEING the 41.6195 acres per plat of survey for Parkdale America, LLC
3 by Tanner and McConnaughey, P.A., P.S., dated January 3, 2006, revised January 24, 2006, as
4 recorded in Map Book 58, Page 25, Rockingham County Registry. Being the same property
5 described in Deed Book 787, Page 790 Rockingham County Registry.

6 **SECTION 4.** This act is effective when it becomes law.