

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

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**HOUSE BILL 757  
Senate State and Local Government Committee Substitute Adopted 6/25/19**

Short Title: Pender County/Butner Property Transfers. (Public)

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Sponsors:

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Referred to:

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April 16, 2019

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

5 The General Assembly of North Carolina enacts:

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

9 **SECTION 1.** The State of North Carolina shall convey to the Pender County Board  
10 of Commissioners, for consideration of one dollar (\$1.00), all its rights, titles, and interests in  
11 approximately 100 acres of the approximately 350-acre parcel identified with Land Asset ID  
12 6095 in the inventory of State-owned land maintained by the Department of Administration  
13 pursuant to G.S. 143-341. This is the same property identified with PIN 3229-04-1665-0000 and  
14 PIN 3219-86-9643-0000, as seen in the Office of the Tax Administrator in Pender County, and  
15 conveyed to the State in Deed Book 211, Page 279, and Deed Book 244, Page 452, Pender  
16 County Registry. The Department of Administration, in consultation with the Pender County  
17 Board of Commissioners, shall ensure that the property transferred is suitable for carrying out  
18 the uses described in Section 2 of this act. The portion of State land to be conveyed is more  
19 properly described as follows:

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

24 S 35°04'59" E, 356.90 feet to a point;

25 S 40°44'44" E, 153.66 feet to a point;

26 S 43°47'35" E, 919.20 feet to a point;

27 S 44°51'27" E, 151.61 feet to a point;

28 S 51°20'38" E, 128.30 feet to a PK Nail set;

29 Thence leaving said Old Savannah Road and with a new line through the property of the  
30 Pender County Correctional Center (D.B. 244, Pg. 452), S 69°34'12" W, 1181.54 feet to an iron  
31 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  
32 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,  
33 139.78 feet to an iron pin set; thence N 47°31'10" W, 214.67 feet to an iron pin set; thence N  
34 08°29'51" W, 2064.45 feet to an iron pin set in the center of Bay Branch, said point being on the  
35 southerly property line of Samuel J. Hope (D.B. 4026, Pg. 201); thence, generally with Bay  
36 Branch and said Samuel J. Hope property (property line follows center of Bay Branch), N



1 61°51'33" E, 523.32 feet to a point; thence continuing with branch, N 81°25'00" E, 74.64 feet to  
2 a point, thence continuing with said branch, S 89°58'55" E, 1231.45 feet to the POINT OF  
3 BEGINNING and being New Tract "A" containing 100.000 Ac. Pender County shall have a right  
4 of way between this property and the Penderlea Highway across property that will remain owned  
5 by the State of North Carolina.

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

13 **SECTION 3.** The State of North Carolina shall convey the real property described  
14 in Section 1 of this act "as is" and "where is" without warranty. The State makes no  
15 representations or warranties concerning the title to the property, the boundaries of the property,  
16 the uses to which the property may be put, zoning, local ordinances, or any physical,  
17 environmental, health, and safety conditions relating to the property. All costs associated with  
18 the conveyance of the property shall be borne by Pender County.

19 **SECTION 4.** The conveyance of the State's rights, titles, and interests in the real  
20 property described in Section 1 of this act shall be exempt from the provisions of Article 7 of  
21 Chapter 146 of the General Statutes. The conveyance shall comply with the provisions of Article  
22 16 of Chapter 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not  
23 apply.  
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## 25 **PART II. TRANSFER STATE-OWNED LANDS TO THE TOWN OF BUTNER**

26 **SECTION 5.** The State of North Carolina shall convey to the Town of Butner, for  
27 consideration of one dollar (\$1.00), all its rights, titles, and interests in approximately the former  
28 Umstead Correctional Center—bounded by West D Street and 12th Street in Butner, North  
29 Carolina, consisting of approximately 36 acres held by the North Carolina Department of Health  
30 and Human Services and the North Carolina Department of Public Safety.

31 **SECTION 6.** The State of North Carolina shall convey the real property described  
32 in Section 5 of this act "as is" and "where is" without warranty. The State makes no  
33 representations or warranties concerning the title to the property, the boundaries of the property,  
34 the uses to which the property may be put, zoning, local ordinances, or any physical,  
35 environmental, health, and safety conditions relating to the property. All costs associated with  
36 the conveyance of the property shall be borne by the Town of Butner.

37 **SECTION 7.** The conveyance of the State's rights, titles, and interests in the real  
38 property described in Section 5 of this act shall be exempt from the provisions of Article 7 of  
39 Chapter 146 of the General Statutes. The conveyance shall comply with the provisions of Article  
40 16 of Chapter 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not  
41 apply.  
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## 43 **PART III. EFFECTIVE DATE**

44 **SECTION 8.** This act is effective when it becomes law.