

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1565

Senate Local Government & Regional Affairs Committee Substitute Adopted 6/30/94

Short Title: Bladen Property Exemption.

(Local)

Sponsors:

Referred to:

May 25, 1994

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT BLADEN COUNTY FROM THE REQUIREMENTS OF
2 ARTICLE 12 OF CHAPTER 160A OF THE GENERAL STATUTES AS TO THE
3 SALE OR LEASE OF CERTAIN PROPERTY AND TO EXEMPT PHYSICIANS
4 SERVING ON THE BOARD OF DIRECTORS OF A PUBLIC HOSPITAL IN
5 BLADEN COUNTY FROM G.S. 14-234, WHICH PROVIDES THAT THE
6 DIRECTOR OF A PUBLIC TRUST SHALL NOT ENTER INTO A CONTRACT
7 WITH THE PUBLIC TRUST EXCEPT UNDER CERTAIN CIRCUMSTANCES.
8

9 The General Assembly of North Carolina enacts:

10 Section 1. The County of Bladen is exempt from all provisions, restrictions,
11 and limitations as to methods and procedures required to effectuate leases or sales of
12 real property and personal property provided for in G.S. 153A-176 and Article 12 of
13 Chapter 160A of the General Statutes, in connection with any lease or sale of all or part
14 of certain property and any buildings or improvements to be built upon the property,
15 described as follows:

16 Being a portion of the original tract as recorded in Deed Book 196, Page 055,
17 Bladen County Registry, and being all that certain tract or parcel of land shown as 2.737
18 acres on the map or plat entitled, "Survey for Levy V. Pait, Elizabethtown Township,
19 Bladen County, North Carolina", dated September 15, 1988, and revised October 1992
20 by Walker Surveying Company, Elizabethtown, North Carolina, said map being
21 incorporated herein by reference for a more particular description as shown thereon,
22 further being described as follows: Beginning at an old iron located in the Southern
23 right of way line of McLeod Street, said iron being located in the Northeast corner of

1 the property as conveyed to Elizabethtown Housing Associates by deed recorded in
2 Book 268, Page 484, Bladen County Registry, and runs thence with the Southern Line
3 of McLeod Street North 45 Degrees 21 minutes 58 seconds East 238.93 feet to an iron;
4 thence South 28 degrees 21 minutes 37 seconds East 492.65 feet to an iron; thence
5 South 61 degrees 38 minutes 23 seconds West 294.70 feet to an iron; thence continuing
6 with the Eastern line of the property as conveyed to Elizabethtown Housing Associates
7 by deed recorded in Deed Book 268, Page 484 North 19 degrees 38 minutes 02 seconds
8 West 430.69 feet to an iron, the point and place of beginning, containing 2.737 acres.

9 Sec. 2. Section 1 of this act is effective with respect to a sale or lease only if
10 the sale or lease is given prior approval by a resolution of the Bladen County Board of
11 Commissioners setting forth the terms of and authorizing the sale or lease. The sale or
12 lease may be for cash or deferred payments secured by a purchase money deed of trust
13 or for other consideration. The sale or lease effected under the authority of this act may
14 be negotiated and consummated without further formality other than the resolution by
15 the Bladen County Board of Commissioners.

16 Sec. 3. G.S. 14-234 shall not apply to a physician on the board of directors of
17 a public hospital if:

- 18 (1) The undertaking or contract between the hospital and the physician is
19 approved by resolution of the board of directors of the public hospital;
20 and
- 21 (2) The resolution is adopted in a regular, open, and public meeting of the
22 Bladen County Commissioners, and is recorded in its minutes; and
- 23 (3) The physician entering into the contract or undertaking with the public
24 hospital does not participate in his or her official capacity as a member
25 of the board of directors of the public hospital in any way in the
26 negotiation of the undertaking or contract or in the consideration of or
27 action upon the authorizing resolution.

28 Sec. 4. This act is effective upon ratification and applies only to Bladen
29 County.