

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2010-86
SENATE BILL 1444**

AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND TO AUTHORIZE THE CITY OF KANNAPOLIS TO DEANNEX PROPERTY FOR THE BENEFIT OF THE PUBLIC HEALTH AUTHORITY OF CABARRUS COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding the provisions of G.S. 160A-48, a municipality to which that section applies may adopt ordinances annexing property completely enclosed on May 1, 2010, by the corporate limits of the municipality, if the ordinance makes a finding that the total acreage being annexed is less than five percent (5%) of the total acreage within the corporate limits of the municipality prior to the annexation and also either:

- (1) Makes a finding based upon circumstances and evidence satisfactory to the municipality that the annexation is necessary for the orderly growth and development of the municipality; or
- (2) Makes a finding based upon circumstances and evidence satisfactory to the municipality that the annexation improves the ability to provide public safety services.

SECTION 2. The municipality shall fix a date for a public hearing on the annexation and publish notice of the public hearing at least 10 days before the day of the hearing.

SECTION 3. The procedure for recording any annexation under this act is as provided in G.S. 160A-51.

SECTION 4. Any annexation ordinance adopted under this act shall be adopted before December 31, 2020.

SECTION 5. Sections 1 through 4 of this act apply only to the Cities of Concord and Kannapolis.

SECTION 6. The City of Kannapolis may remove a tract of real property from its corporate limits, not to exceed five acres, upon an application to do so by the owner of the property for the purpose of benefiting the public health authority of Cabarrus County. The City must fix a date for a public hearing on the deannexation and publish a notice of the public hearing at least 10 days before the day of the hearing. A deannexation ordinance adopted under this act must be adopted before December 31, 2011.

SECTION 7. Section 6 of this act applies only to the City of Kannapolis.

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

In the General Assembly read three times and ratified this the 10th day of July, 2010.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

