

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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SENATE BILL 216

Short Title: Caswell Beach/Quick Take Eminent Domain. (Local)

Sponsors: Senator Rabon (Primary Sponsor).

Referred to: Rules and Operations of the Senate.

March 11, 2015

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE TOWN OF CASWELL BEACH TO TAKE IMMEDIATE
POSSESSION OF PROPERTY CONDEMNED FOR A PUBLIC SERVICES FACILITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 40A-42(a)(2) reads as rewritten:

"(2) Modified Provision for Certain Localities. – When a local public condemnor is acquiring property by condemnation for a purpose set out in G.S. 40A-3(b1)(1), (4), (6), (7), (10), or (11), or when a city is acquiring property for a purpose set out in G.S. 160A-311(1), (2), (3), (4), (6), or (7), or when a county is acquiring property for a purpose set out in G.S. 153A-274(1), (2) or (3), or when a local board of education or any combination of local boards of education is acquiring property for any purpose set forth in G.S. 115C-517, or when a condemnor is acquiring property by condemnation as authorized by G.S. 40A-3(c)(8), (9), (10), (12), or (13) title to the property and the right to immediate possession shall vest pursuant to this subsection. Unless an action for injunctive relief has been initiated, title to the property specified in the complaint, together with the right to immediate possession thereof, shall vest in the condemnor upon the filing of the complaint and the making of the deposit in accordance with G.S. 40A-41.

This subdivision applies only to Carteret and Dare Counties, the Towns of Atlantic Beach, Carolina Beach, Caswell Beach, Duck, Emerald Isle, Holden Beach, Indian Beach, Kill Devil Hills, Kitty Hawk, Kure Beach, Nags Head, North Topsail Beach, Oak Island, Ocean Isle Beach, Pine Knoll Shores, Sunset Beach, Surf City, Topsail Beach, and Wrightsville Beach, and the Village of Bald Head Island."

SECTION 2. This act applies only to the Town of Caswell Beach, for the taking of property for a public services facility where a fire department and other emergency services providers will be located.

SECTION 3. This act is effective when it becomes law.

