

March 3, 2009

H 384. FUQUAY-VARINA QUICK TAKE. Filed 3/3/09. *AUTHORIZING THE TOWN OF FUQUAY-VARINA TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS.*

Authorizes the Town of Fuquay-Varina, despite the provisions of GS 40A-1 (setting out the exclusive provisions for exercising the power of eminent domain), to use the authority and procedure described in GS Chapter 136, Article 9 (as it is now or may be amended) to exercise the town's eminent domain authority to acquire property interests to be used for (1) waterlines and treatment facilities; (2) sewer lines and treatment facilities; and (3) opening, widening, extending, or improving public streets and roads. Provides that the terms *Secretary* or *Secretary of Transportation*, used in Article 9, are to be replaced with *Town Manager* in accordance with this proposed section, and wherever the term *highway* appears in Article 9, it is to be replaced with *public works* in accordance with this proposed section. Provides that this proposed section is not to be construed as enlarging the power of the town to condemn property already committed to public use. Sets just compensation for the acquisition of a title in fee simple or a perpetual easement to be used for street or road right-of-way at no less than \$1.00 per square foot of real property or the prorated ad valorem tax value of the parent tract, whichever is less. Provides that the powers granted under this proposed act are supplementary to those powers granted by any local or general law.

Intro. by Stam.

WAKE

June 23, 2009

SL 2009-155 (H 384). FUQUAY-VARINA QUICK TAKE. *AN ACT AUTHORIZING THE TOWN OF FUQUAY-VARINA TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS.* Summarized in *Daily Bulletin* 3/3/09. Enacted June 23, 2009. Effective June 23, 2009.