

February 25, 2009

S 315. SOUTHPORT ANNEXATION AGREEMENT. Filed 2/25/09. *TO ALLOW THE CITY OF SOUTHPORT TO ENTER INTO AN ANNEXATION AGREEMENT.*

Grants contract powers to the City of Southport to enter into an agreement with Carolina Power and Light Company, a NC corporation doing business as Progress Energy Carolinas, Inc. (Progress Energy) and with NC Eastern Municipal Power Agency (Agency), a joint agency organized under GS Chapter 159B, whereby the city may provide that certain property described in the agreement may not be involuntarily annexed by the city before January 1, 2073, except as provided for in the agreement. Prohibits the city from seeking to repeal this act. Provides that any agreement entered into is deemed proprietary and commercial in nature, as well as consistent with state public policy. Also provides that the agreement is continuing and binding on and enforceable against current and future members of the city's governing board during the full term of the agreement and any extension thereafter. Allows modifications, amendments, and extensions of the agreement on mutual written consent of the parties, without approval of the General Assembly, provided such changes do not materially alter the concept of the agreement. Permits the city to accept as consideration the acquiescence by Progress Energy and the Agency in an annexation by the city of the areas provided for in that agreement. Effective when it becomes law and also applies to an agreement dated August 27, 2008, that conforms to this act. Provides that the General Assembly specifically ratifies that agreement.

Intro. by Soles.

BRUNSWICK

March 18, 2009

S 315. SOUTHPORT ANNEXATION AGREEMENT. Filed 2/25/09. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.