

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 757
PROPOSED SENATE COMMITTEE SUBSTITUTE H757-PCS10673-RN-48

Short Title: Pender County/Butner Property Transfers.

(Public)

Sponsors:

Referred to:

April 16, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO CONVEY CERTAIN STATE-OWNED LANDS TO PENDER COUNTY TO BE
3 USED FOR A NEW JAIL AND LAW ENFORCEMENT CENTER AND TO CONVEY
4 CERTAIN STATE-OWNED LANDS TO THE TOWN OF BUTNER.

5 The General Assembly of North Carolina enacts:

6
7 **PART I. TRANSFER STATE-OWNED LANDS TO PENDER COUNTY TO BE USED**
8 **FOR A NEW JAIL AND LAW ENFORCEMENT CENTER**

9 **SECTION 1.** The State of North Carolina shall convey to the Pender County Board
10 of Commissioners, for consideration of one dollar (\$1.00), all its rights, titles, and interests in
11 approximately 100 acres of the approximately 350-acre parcel identified with Land Asset ID
12 6095 in the inventory of State-owned land maintained by the Department of Administration
13 pursuant to G.S. 143-341. This is the same property identified with PIN 3229-04-1665-0000 and
14 PIN 3219-86-9643-0000, as seen in the Office of the Tax Administrator in Pender County, and
15 conveyed to the State in Deed Book 211, Page 279, and Deed Book 244, Page 452, Pender
16 County Registry. The Department of Administration, in consultation with the Pender County
17 Board of Commissioners, shall ensure that the property transferred is suitable for carrying out
18 the uses described in Section 2 of this act. The portion of State land to be conveyed is more
19 properly described as follows:

20 BEGINNING at a found PK nail in the center of Old Savannah Road, said point being the
21 southeast corner of the property of Jeremy Bryan Batts (D.B. 4540, Pg. 214) and the northeast
22 corner of the property herein described; Thence with the center of said Old Savannah Road the
23 following courses:

24 S 35°04'59" E, 356.90 feet to a point;

25 S 40°44'44" E, 153.66 feet to a point;

26 S 43°47'35" E, 919.20 feet to a point;

27 S 44°51'27" E, 151.61 feet to a point;

28 S 51°20'38" E, 128.30 feet to a PK Nail set;

29 Thence leaving said Old Savannah Road and with a new line through the property of the
30 Pender County Correctional Center (D.B. 244, Pg. 452), S 69°34'12" W, 1181.54 feet to an iron
31 pin set; thence S 42°31'45" W, 339.68 feet to an iron pin set; thence S 78°52'12" W, 362.36 feet
32 to an iron pin set; thence S 56°45'56" W, 748.71 feet to an iron pin set; thence S 72°39'01" W,
33 139.78 feet to an iron pin set; thence N 47°31'10" W, 214.67 feet to an iron pin set; thence N
34 08°29'51" W, 2064.45 feet to an iron pin set in the center of Bay Branch, said point being on the
35 southerly property line of Samuel J. Hope (D.B. 4026, Pg. 201); thence, generally with Bay
36 Branch and said Samuel J. Hope property (property line follows center of Bay Branch), N



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1 61°51'33" E, 523.32 feet to a point; thence continuing with branch, N 81°25'00" E, 74.64 feet to
2 a point, thence continuing with said branch, S 89°58'55" E, 1231.45 feet to the POINT OF
3 BEGINNING and being New Tract "A" containing 100.000 Ac. Pender County shall have a right
4 of way between this property and the Penderlea Highway across property that will remain owned
5 by the State of North Carolina.

6 **SECTION 2.** The conveyance pursuant to Section 1 of this act is subject to a
7 reversionary interest reserved by the State. The property shall be conveyed to the Pender County
8 Board of Commissioners for so long as it is utilized as a jail and law enforcement center.
9 Notwithstanding the foregoing, Pender County may grant a deed of trust or similar security
10 instrument related to the property in connection with the financing or refinancing of construction,
11 acquisition, and equipping of the intended facility or the financing or refinancing of
12 improvements, additions, or repairs to the property.

13 **SECTION 3.** The State of North Carolina shall convey the real property described
14 in Section 1 of this act "as is" and "where is" without warranty. The State makes no
15 representations or warranties concerning the title to the property, the boundaries of the property,
16 the uses to which the property may be put, zoning, local ordinances, or any physical,
17 environmental, health, and safety conditions relating to the property. All costs associated with
18 the conveyance of the property shall be borne by Pender County.

19 **SECTION 4.** The conveyance of the State's rights, titles, and interests in the real
20 property described in Section 1 of this act shall be exempt from the provisions of Article 7 of
21 Chapter 146 of the General Statutes. The conveyance shall comply with the provisions of Article
22 16 of Chapter 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not
23 apply.
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25 **PART II. TRANSFER STATE-OWNED LANDS TO THE TOWN OF BUTNER**

26 **SECTION 5.** The State of North Carolina shall convey to the Town of Butner, for
27 consideration of one dollar (\$1.00), all its rights, titles, and interests in approximately the former
28 Umstead Correctional Center—bounded by West D Street and 12th Street in Butner, North
29 Carolina, consisting of approximately 36 acres held by the North Carolina Department of Health
30 and Human Services and the North Carolina Department of Public Safety.

31 **SECTION 6.** The State of North Carolina shall convey the real property described
32 in Section 5 of this act "as is" and "where is" without warranty. The State makes no
33 representations or warranties concerning the title to the property, the boundaries of the property,
34 the uses to which the property may be put, zoning, local ordinances, or any physical,
35 environmental, health, and safety conditions relating to the property. All costs associated with
36 the conveyance of the property shall be borne by the Town of Butner.

37 **SECTION 7.** The conveyance of the State's rights, titles, and interests in the real
38 property described in Section 5 of this act shall be exempt from the provisions of Article 7 of
39 Chapter 146 of the General Statutes. The conveyance shall comply with the provisions of Article
40 16 of Chapter 146 of the General Statutes, provided that the provisions of G.S. 146-74 shall not
41 apply.
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43 **PART III. EFFECTIVE DATE**

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