

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 1002*

Short Title: Cabarrus Quick Take.

(Local)

Sponsors: Representatives Barnhart and Johnson (Primary Sponsors).

Referred to: Local Government II, if favorable, Judiciary II.

March 26, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO AUTHORIZE CABARRUS COUNTY AND MUNICIPALITIES IN
3 CABARRUS COUNTY TO USE QUICK TAKE IN CERTAIN
4 CONDEMNATION PROCEEDINGS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Notwithstanding the provisions of G.S. 40A-1, in the exercise
7 of its authority of eminent domain for the acquisition of property interests (including,
8 without limitation, fee simple title, rights-of-way, and easements) to be used for (i)
9 waterlines and treatment facilities, (ii) sewer lines and treatment facilities, and (iii)
10 opening, widening, extending, or improving public streets, roads, and sidewalks, a
11 county, city, or town may use the procedure and authority prescribed in Article 9 of
12 Chapter 136 of the General Statutes of North Carolina, as now or hereafter amended;
13 provided further, that whenever therein the words "Secretary" or "Secretary of
14 Transportation" appear, they shall be deemed to include the "Town Manager," or the
15 "County Manager" and whenever therein the word "highway" appears, it is deemed to
16 include the purposes authorized by this section, provided further that nothing herein
17 shall be construed to enlarge the power of the town to condemn property already
18 devoted to public use.

19 **SECTION 2.** This act applies only to Cabarrus County and to municipalities
20 located wholly or partly in Cabarrus County and may only be used to take property
21 within that county.

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