

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 1217

Short Title: Navassa Annexation Agreement. (Local)

Sponsors: Representatives Stiller and Hill (Primary Sponsors).

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

March 29, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE TOWN OF NAVASSA TO ENTER INTO AN
3 AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Notwithstanding any applicable provision of the General
6 Statutes or any other public or local law, the Town of Navassa is granted certain
7 contract powers as follows:

- 8 (1) The Town of Navassa may, by agreement, provide that certain
9 property described in the agreement as the "DAK Property" may not
10 be involuntarily annexed by the Town prior to January 1, 2016, under
11 the General Statutes as they now exist or may be subsequently
12 amended. The Town of Navassa shall not seek to repeal this act upon
13 its approval by the General Assembly.
- 14 (2) Any agreement entered into as provided in subdivision (1) of this
15 section is deemed by this section to be proprietary and commercial in
16 nature and is specifically determined to be consistent with the public
17 policy of the State of North Carolina.
- 18 (3) Any agreement entered into as provided in subdivision (1) of this
19 section is a continuing agreement and is binding on and enforceable
20 against the current and future members of the Town Council of the
21 Town of Navassa during the full term of such agreement and any
22 extension thereof.
- 23 (4) The parties to any agreement entered into as provided in subdivision
24 (1) of this section are authorized by this section to modify, amend, and
25 extend such agreement on mutual written consent, without the
26 approval of the General Assembly, provided that any such
27 modification or amendment does not materially alter the concept of the
28 agreement.

1 **SECTION 2.** The Town of Navassa may accept payments in lieu of taxes as
2 consideration for the agreement discussed in Section 1 of this act.

3 **SECTION 3.** The Town of Navassa will accept the total amount of one
4 million two hundred thousand dollars (\$1,200,000) as payment in lieu of taxes on the
5 DAK Property. DAK shall make biannual payments in the amount of sixty thousand
6 dollars (\$60,000). This is one hundred twenty thousand dollars (\$120,000) per year
7 during the course of the agreement.

8 **SECTION 4.** The agreement under Section 1 of this act shall apply to the
9 DAK Property described as follows: a 615.7999-acre tract in an unincorporated area
10 adjacent to the Town and identified as Brunswick County Parcel No. 01100001.

11 **SECTION 5.** This act is effective when it becomes law.