

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-35
HOUSE BILL 885**

AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO DESIGNATE CERTAIN
TOWN-OWNED PROPERTY TO BE USED FOR ASSISTED LIVING AND
ENVIRONMENTAL EDUCATION FACILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 1160 of the 1973 Session Laws reads as rewritten:

"Section 1. The Board of Commissioners of the Town of Nags Head, Dare County, is hereby authorized to designate that such part or portion of town-owned lands may be used for health care purposes as it may determine necessary in accordance with the provisions hereinafter set out.

Sec. 2. Any conveyance of a parcel, parcels or all of the said town-owned lands from the Town of Nags Head in accordance with this act may be made by lease for such term and upon such conditions as the Town may designate, or, by deed of conveyance. The instrument of lease or conveyance shall contain a clause requiring the property to be used solely for health care purposes as specifically authorized by this act. Those purposes include and shall be limited to rural health care clinics, nursing homes, hospitals, out-patient care ~~facilities—~~and facilities, offices for doctors and ~~dentists.~~dentists, assisted living facilities, and environmental education facilities.

Sec. 3. Any conveyance by deed shall be for consideration equivalent to the fair market value of the said property as determined by the Board of Commissioners of the Town of Nags Head; conveyances by lease shall be for the fair market lease value as shall be determined by the Board of Commissioners of the Town of Nags Head; conveyances to bonafide nonprofit corporations organized for the purpose of providing health care facilities as defined above, however, may be by lease, deed or other instrument of conveyances for nominal consideration in the discretion of the Board of Commissioners of the Town of Nags Head.

Sec. 4. In the event property ~~is~~leased or conveyed pursuant to the provisions of this act is not used for purposes authorized herein within 18 calendar months of the delivery of the instrument of conveyance or lease, or ceases to be used for such purposes, or herein set out, the property shall revert to the Town of Nags Head."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 23rd day of April, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker Pro Tempore of the House of Representatives