

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

**HOUSE BILL 955
RATIFIED BILL**

**AN ACT AUTHORIZING THE CITY OF EDEN TO ENTER INTO AN ANNEXATION
AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.**

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding any applicable provision of the General Statutes or any other public or local law, the City of Eden is granted certain contract powers as follows:

- (1) The City of Eden may, by agreement, provide that certain property, described in Section 3 of this act as "Thoroughbred Property," may not be involuntarily annexed by the City during the period beginning January 31, 2018, and ending February 1, 2028, under the General Statutes as they now exist or may be subsequently amended, except as provided in the agreement. The City of Eden shall not seek to repeal this act upon its approval by the General Assembly.
- (2) Any agreement entered into as provided in subdivision (1) of this section is specifically determined to be proprietary and commercial in nature and is specifically determined to be consistent with the public policy of the State of North Carolina.
- (3) Any agreement entered into as provided in subdivision (1) of this section is a continuing agreement and is binding on and enforceable against the current and future members of the City Council of the City of Eden during the full term of the agreement and any extension thereof.
- (4) The parties to any agreement entered into as provided in subdivision (1) of this section shall be authorized by this act to further modify, amend, and extend the agreement on mutual written consent, without the approval of the General Assembly, provided that any modification or amendment does not materially alter the concept of the agreement.

SECTION 2. The City of Eden may accept payments in lieu of taxes as consideration for the agreement authorized by Section 1 of this act. Payments in lieu of taxes under this act shall be annually computed based upon the tax valuations of the property subject to the agreement under Section 1 of this act as determined by the Rockingham County Tax Department, with the formula for making the computation being stated in the agreement.

SECTION 3. The agreement authorized by Section 1 of this act shall apply to the Thoroughbred Property described as follows:

LYING AND BEING in Rockingham County and BEING the 26.3273 acres including a one story concrete block warehouse as shown on survey entitled "Parkdale America, LL" Subdivision, Survey for Parkdale America, LLC & A.C. Furniture, Inc., by Tanner and McCannaughey, P.A., Professional Surveyors, dated March 3, 2005, and revised April 11, 2005, as recorded in Map Book 56, Page 72, Rockingham County Registry. LYING AND BEING in Rockingham County and BEING the 41.6195 acres per plat of survey for Parkdale America, LLC by Tanner and McConnaughey, P.A., P.S., dated January 3, 2006, revised January 24, 2006, as recorded in Map Book 58, Page 25, Rockingham County Registry. Being the same property described in Deed Book 787, Page 790 Rockingham County Registry.



SECTION 4. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 21st day of June, 2018.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives