



Town of Southern Shores

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**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHERN SHORES,
NORTH CAROLINA REQUESTING THE NORTH CAROLINA GENERAL ASSEMBLY
TO CONSIDER ADOPTION OF CERTAIN LEGISLATION AUTHORIZING THE
TOWN TO ACQUIRE PROPERTY FOR THE PURPOSES STATED IN G.S. §40A-
3(b1)(10) & (11) AND TO BE ABLE TO MAKE SUCH ACQUISITIONS VIA THE
PROCEDURES ALLOWED BY G.S. §40A-42(a)(2)**

(Resolution #2014-02-01)

WHEREAS, the Town of Southern Shores (the “Town”) is located adjacent to the Atlantic Ocean; and

WHEREAS, due to erosion, both constant and sudden, the Town may at some point in the future desire or require to construct beach erosion control or flood and hurricane protection works, including beach renourishment upon the ocean beaches located within the Town (collectively “Beach Protection”); and

WHEREAS, the Town may in the future engage in or participate with other governmental entities in acquiring, constructing, reconstructing, extending, or otherwise building or improving beach protection including, but not limited to, the acquisition of any property that may be required as a source for beach renourishment; and

WHEREAS, the Town finds that it may need to obtain property by purchase, gift or condemnation to execute a future beach protection project due to the need for easements or otherwise for the purposes stated in G.S. §40A-3(b1)(10) and (11); and

WHEREAS, the Town finds that the timeliness of obtaining property via easements or otherwise for beach protection could have a substantial effect upon the viability of a beach protection project; and

WHEREAS, the Town finds that it is in the interest of the public's health, safety, morals and general welfare that the Town have the option in the future to acquire property for the purposes of a beach nourishment project as stated in G.S. §40A-3(b1)(10) and (11), and to be able to do so via the accelerated condemnation procedures allowed for by G.S. §40A-42(a)(2).

NOW, THEREFORE BE IT RESOLVED, the Town Council hereby respectfully requests that the North Carolina General Assembly consider and pass the attached proposed act entitled as follows:

“AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO ACQUIRE PROPERTY FOR THE PURPOSES STATED IN G.S. 40A-3(b1)(10) and (11) AND TO BE ABLE TO MAKE SUCH ACQUISITIONS VIA THE PROCEDURES ALLOWED BY G.S. 40A-42-(a)(2).”

Adopted this ____ day of _____, 2014.

Tom Bennett, Mayor

Attest:

Sheila Kane, Town Clerk

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2014

SESSION LAW 2014-__
_____ BILL _____

AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO ACQUIRE PROPERTY FOR THE PURPOSES STATED IN G.S. 40A-3(b1)(10) AND (11) AND TO BE ABLE TO MAKE SUCH ACQUISITIONS VIA THE PROCEDURES ALLOWED BY G.S. 40A-42-(a)(2).”.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 40A-3(b1) is amended by modifying the last sentence to read:

...

This subsection applies only to Carteret and Dare Counties, the Towns of Atlantic Beach, Carolina Beach, Caswell Beach, Emerald Isle, Holden Beach, Indian Beach, Kill Devil Hills, Kitty Hawk, Kure Beach, Nags Head, North Topsail Beach, Oak Island, Ocean Isle Beach, Pine Knoll Shores, Southern Shores, Sunset Beach, Surf City, Topsail Beach, and Wrightsville Beach, and the Village of Bald Head Island.

SECTION 2. G.S. 40A-42(a)(2) is amended by modifying the last sentence to read:

...

This subdivision applies only to Carteret and Dare Counties, the Towns of Atlantic Beach, Carolina Beach, Caswell Beach, Emerald Isle, Holden Beach, Indian Beach, Kill Devil Hills, Kitty Hawk, Kure Beach, Nags Head, North Topsail Beach, Oak Island, Ocean Isle Beach, Pine Knoll Shores, Southern Shores, Sunset Beach, Surf City, Topsail Beach, and Wrightsville Beach, and the Village of Bald Head Island.

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

In the General Assembly read three times and ratified this the ____ day of _____, 2014.

President of the Senate

Speaker of the House of Representatives