

STATUTORY AUTHORITY FOR CONVEYING *REAL* PROPERTY TO PRIVATE ENTITY

North Carolina law requires *real* property be disposed through one of three competitive bidding procedures—
Sealed Bid (G.S. 160A-268), Upset Bid (G.S. 160A-279), or Public Auction (G.S. 160A-270)—
unless another method of conveyance is specifically authorized:

Authority for Conveyance	Competitive Bidding Sale	Private Sale for Fair Market Value	Private Sale - Non-Monetary Consideration	Notes
Economic Development G.S. 158-7.1	✓	✓	✓	G.S. 158-7.1(d2) allows next 10 years of local government revenue to count as consideration toward purchase provided the purchaser creates “substantial number of jobs” paying above average wage.
Conveyance of property for redevelopment (no redevelopment area required) G.S. 160A-457 (cities) G.S. 153A-377 (counties)	✓	✓ (cities only)		Acquire/convey blighted or inappropriately developed property. Cities: private sale price “shall not be less than the appraised value.” Counties use Art. 12 competitive bidding procedures.
Urban Redevelopment Law G.S. 160-514(c). Boards exercise powers directly: G.S. 160A-456 (cities), G.S. 153A-376 (counties).	✓			Within redevelopment area, conveyance must comply with Art. 12 competitive bidding procedures.
Housing Authorities Law G.S. 157-9. Boards exercise powers directly: G.S. 160A-456 (cities), G.S. 153A-376 (counties)	✓	✓	✓	Housing authorities are exempt from disposition rules, but disposal must fit within statutory authority and serve constitutional public purpose (housing project for low and moderate income (LMI) persons, G.S. 157-3(12)). Use covenants, deed restrictions, and deeds of trust on conveyance to ensure housing serves LMI persons.
Conveyance to Historic Preservation Organizations G.S. 160A-266(b)	✓	✓		Historic covenants may affect appraised value, but compliance with historic covenants alone is not a “use” that counts as consideration under G.S. 160A-279.
Conveyance to Entities Carrying Out Public Purpose G.S. 160A-279 (cities and counties only)	✓	✓	✓	City or county must be authorized to appropriate funds to entity. Conveyance must include covenants or conditions that assure <i>recipient</i> will continue to put the property to public use. Subsequent sale not permitted.