

Delegation of Authority for the Acquisition of Real Property by Lease to North Carolina State University and to the University of North Carolina at Chapel Hill

Upon request by a Board of Trustees of a constituent institution and with the recommendation of the President, the Board of Governors may delegate authority consistent with G.S. 116-31.12 to the constituent institution, per its Policy 600.1.3.1 adopted on January 14, 2011.

North Carolina General Statute 116-31.12 states:

*Notwithstanding G.S. 143-341(4), the Board of Governors may authorize the constituent institutions and the General Administration to acquire real property by lease if the lease is for a term of not more than 10 years. The Board of Governors shall establish a policy for acquiring an interest in real property for the use of The University of North Carolina and its constituent institutions by lease. This policy may delegate authorization of the acquisition of real property by lease to the boards of trustees of the constituent institutions or to the President of The University of North Carolina. The Board of Governors shall submit all initial policies adopted pursuant to this section to the State Property Office for review prior to adoption by the Board. Any subsequent changes to these policies adopted by the Board of Governors shall be submitted to the State Property Office for review. Any comments by the State Property Office shall be submitted to the President of The University of North Carolina. After the acquisition of an interest in real property by lease, The University of North Carolina shall promptly file a report concerning the acquisition to the Secretary of Administration. Acquisitions of an interest in real property by lease pursuant to this section shall not be subject to the provisions of Article 36 of Chapter 143 of the General Statutes or to the provisions of Article 6 of Chapter 146 of the General Statutes. (2007-322, s. 9.)*

The Board of Trustees of North Carolina State University has requested and demonstrated that it has the administrative, technical and support resources necessary to properly carry out the requested authority. It is recommended that the Committee on Budget and Finance approve NCSU's request for delegated authority consistent with G.S. 116-31.12.

Likewise, the Board of Trustees of the University of North Carolina at Chapel Hill has requested and demonstrated that it has the administrative, technical and support resources necessary to properly carry out the requested authority. It is recommended that the Committee on Budget and Finance approve UNC-CH's request for delegated authority consistent with G.S. 116-31.12.

Consistent with Board policy, it is further recommended that NCSU's request and UNC-CH's request be approved by the Board of Governors. Each delegation is effective immediately upon approval by the Board.