



State of North Carolina  
ALCOHOLIC BEVERAGE CONTROL COMMISSION

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### Sale of Real Property by Local ABC Boards

Local boards are required to sell real property in the same way as a city council under Article 12 of Chapter 160A of the general statutes. [NCGS 18B-701(12)]

Under most circumstances local ABC boards will have to use one of three methods for selling real property set out in NCGS 160A-266(a). The three methods available are:

- (2) Advertisement for sealed bids [NCGS 160A-268 and 143-129],
- (3) *Negotiated offer, advertisement and upset bid* [NCGS 160A-269], and
- (4) *Public Auction*. [NCGS 160A-270(a)]

Regardless of the method used, the board must seek the highest value possible for the property as determined in a competitive process.

Local ABC boards are political subdivisions of the State and as such are required to carry out their business subject to the Open Meetings Law. [NCGS 143-318.9 through 143-318.12]

*It is strongly recommended that local ABC boards hire legal counsel to assist in the sale of real property.*

Resources:

Tim Morse, Attorney, ABC Commission, 919.779.0700 ext. 233

*Local Government Property Transactions in North Carolina*, available from the School of Government. Order online at <http://www.iog.unc.edu/programs/purchase/pubs.html>.  
Order code: 2000.07 Cost \$27.00

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