

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 341
HOUSE BILL 862

AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES. RWN

The General Assembly of North Carolina enacts:

Section 1. G.S. 45-21.46 is amended by designating the present paragraph subsection "(a)"; and by adding a new subsection to read:

"(b) All foreclosures of mortgages or deeds of trust secured by real estate pursuant to power of sale, which foreclosures were commenced on or subsequent to June 1, 1983, and consummated prior to April 1, 1985, in which foreclosure sales the requirements for posting and publication of notice of sale set forth in G.S. 45- 21.17 were complied with but the requirements of the mortgage or deed of trust as to posting and publication of notice of sale were not complied with, are validated, ratified and confirmed and shall be effective to pass title to real estate to the same extent as though all requirements of the mortgage or deed of trust respecting posting and publication of notice of sale were complied with; unless an action to set aside such foreclosure is commenced in the period beginning January 1, 1984, and ending January 1, 1986."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of June, 1985.