

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 277
HOUSE BILL 194

AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED OR NOTARY WAS NOT QUALIFIED, CERTAIN NOTICES TO CREDITORS OF DECEDENTS WHERE THE DEADLINE FOR SUBMITTING CLAIMS WAS OMITTED AND CERTAIN FORECLOSURE SALES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 45-20.1 is amended by deleting "1985" and substituting "1987".

Sec. 2. G.S. 47-51 is amended by deleting "1985" and substituting "1987".

Sec. 3. G.S. 47-53 is amended by deleting "1985" and substituting "1987".

Sec. 4. G.S. 47-53.1 is amended by deleting "1985" and substituting "1987".

Sec. 5. G.S. 47-71.1 is amended by deleting "1985" in the catch line and in the text and substituting "1987".

Sec. 6. G.S. 47-108.5 is amended by deleting "1985" and substituting "1987".

Sec. 7. G.S. 47-108.11 is amended in the second paragraph by deleting "1985" and substituting "1987".

Sec. 8. G.S. 28A-14-1.1(b) reads as rewritten:

"(b) This section applies to all notices published and posted between October 1, 1975, and March 16, ~~1984-1987~~, except that it does not affect any pending litigation or any litigation instituted within 90 days of March 16, ~~1984-1987~~."

Sec. 9. G.S. 10-12(d) is amended by deleting "1985" and substituting "1987".

Sec. 10. G.S. 45-21.47 is amended by deleting "1985" each place it appears and substituting "1987" in each place.

Sec. 10a. Chapter 45 of the General Statutes is amended by adding a new section to read as follows:

"§ 45-21.49. Validation of foreclosure sales when provisions of Section 45-21.16A(3) not complied with.—(a) Whenever any real property was sold under a power of sale as provided in Article 2A of Chapter 45, and the notice of sale did not describe the improvements on the property to be sold, as required under G.S. 45-21.16A(3), the sale shall not be invalidated because of such omission.

(b) This section shall apply to all sales completed prior to June 1, 1987."

Sec. 11. This act is effective upon ratification, except for Sections 10 and 11 which are effective July 1, 1987, and shall not affect pending litigation.

In the General Assembly read three times and ratified this the 4th day of June, 1987.