



CHAPTER 1

ARTICLE 29A - JUDICIAL SALES

N.C.G.S. § 1-339.13.

Public sale; order of sale.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 1997-83, ss. 4, 5 — second act in the lineage	RETRIEVED 21 September 2026, 02:12 UTC	SOURCE FINGERPRINT 33b8a9fbe29d733d53442b78 - 57c915675755b1e7de311226 - 870f86b00022a669
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§ 1-339.13(a)

Whenever a public sale is ordered, the order of sale shall

- (1) Designate the person authorized to hold the sale;
- (2) Direct that the property be sold at public auction to the highest bidder or, in the case of a sale of timber, direct that the timber be sold to the highest bidder and specify whether the sale is to be by public auction or by sealed bid;
- (3) Describe real property to be sold, by reference or otherwise, sufficiently to identify it;
- (4) Describe personal property to be sold, by reference or otherwise, sufficiently to indicate its nature and quantity;
- (5) Designate, consistently with G.S. 1-339.6, the county and the place therein at which the sale is to be held;
- (6) Prescribe the terms of sale, specifying the amount of the cash deposit, if any, to be made by the highest bidder at the sale; and
- (7) If the sale is to be a sale of timber by sealed bid, specify:

a. The minimum number of bids that must be submitted, which shall not be less than three, and

b. The time at which any cash deposit required of the highest bidder must be made, which shall not be more than three business days after the date on which the sealed bids are opened.

§ 1-339.13(b)

The order of public sale may also, but is not required to

- (1) State the method by which the property shall be sold, pursuant to G.S. 1-339.9;
- (2) Direct any posting of the notice of sale or any advertisement of the sale, in addition to that required by G.S. 1-339.17 in the case of real property or G.S. 1-339.18 in the case of personal property, which the judge or clerk of the superior court deems advantageous; and
- (3) Specify the number of appraisals to be obtained pursuant to G.S. 1-339.13A.

§ 1-339.13(c)

The order of public sale may provide that personal property need not be present at the place of sale when the nature, condition or use of the property is such that the judge or clerk ordering the sale deems it impractical or inadvisable to require the presence of the property at the sale. In such event, the order shall provide that reasonable opportunity be afforded prospective bidders to inspect the property prior to the sale, and that notice as to the time and place for inspection shall be set out in the notice of sale.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1949

1973

1997

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1949	c. 719, s. 1	ENACTED
02	1997	S.L. 1997-83, ss. 4, 5	AMENDED

APPARATUS II
5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 1-339.6	(a)(5)	"Designate, consistently with"

G.S. 1-339.9	(b)(1)	<i>"property shall be sold, pursuant to"</i>
G.S. 1-339.17	(b)(2)	<i>"in addition to that required by"</i>
G.S. 1-339.18	(b)(2)	<i>"the case of real property or"</i>
G.S. 1-339.13A	(b)(3)	<i>"appraisals to be obtained pursuant to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 1-339.13 (1997).

PINPOINT

N.C. Gen. Stat. § 1-339.13(a) (1997).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1949, c. 719, s. 1; 1997-83, ss. 4, 5.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

