



CHAPTER 1
ARTICLE 29B - EXECUTION SALES

N.C.G.S. § 1-339.70.

Disposition of proceeds of sale.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2021-47, s. 14(c) — second act in the lineage	RETRIEVED 21 September 2026, 07:03 UTC	SOURCE FINGERPRINT c40db754e416d100af217e1f - ad3ccec8bdc7189371627e21 - 9e7056ddaabaf05a
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- § 1-339.70(a)

After deducting all sums due him on account of the sale, including the expenses incurred in caring for the property so long as his responsibility for such care continued, the sheriff shall pay the proceeds of the sale to the clerk of the superior court who issued the execution, and the clerk shall furnish the sheriff a receipt therefor.
- § 1-339.70(a1)

Proceeds paid by the sheriff to the clerk resulting from an execution sale shall be credited and applied to the judgment as of the date the proceeds are received by the clerk.
- § 1-339.70(b)

The clerk shall apply the proceeds of the sale so received to the payment of the judgment upon which the execution was issued.
- § 1-339.70(c)

Any surplus shall be paid by the clerk to the person legally entitled thereto if the clerk knows who such person is. If the clerk is in doubt as to who is entitled to the surplus, or if adverse claims are asserted thereto, the clerk shall hold such surplus until rights thereto are established in a special proceeding pursuant to G.S. 1-339.71.

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		1985		2021
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT			CHARACTER
01	1949	c. 719, s. 1			ENACTED
02	2021	S.L. 2021-47, s. 14(c)			AMENDED

APPARATUS II
1 AUTHORITY

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. 1-339.71	(c)	<i>"in a special proceeding pursuant to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 1-339.70 (2021).

PINPOINT

N.C. Gen. Stat. § 1-339.70(a) (2021).

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; 2021-47, s. 14(c).)

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