



CHAPTER 121
ARTICLE 4 - CONSERVATION AND HISTORIC PRESERVATION AGREEMENTS ACT

N.C.G.S. § 121-38.

Validity of agreements.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2008-165, s. 1 — second act in the lineage	RETRIEVED 21 September 2026, 04:07 UTC	SOURCE FINGERPRINT e2628a017164b50767f0c83b - 4bfa5fed8b1cdac8e788881a - 02032e46af959b9f
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- § 121-38(a)

No conservation or preservation agreement shall be unenforceable because of

(1) Lack of privity of estate or contract, or

(2) Lack of benefit to particular land or person, or

(3) The assignability of the benefit to another holder as defined in this Article.
- § 121-38(b)

These agreements are interests in land and may be acquired by any holder in the same manner as it may acquire other interests in land.
- § 121-38(c)

These agreements may be effective perpetually or for shorter stipulated periods of time.
- § 121-38(d)

These agreements may impose present, future, or continuing obligations on either party to the agreement, or their successors, in furtherance of the purposes of the agreement.
- § 121-38(e)

These agreements may contain provisions which require the payment of a fee upon a future conveyance of the property that is subject to the agreement.

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.

1979		1994	2008
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1979	c. 747, s. 5	ENACTED
02	2008	S.L. 2008-165, s. 1	AMENDED

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 121-38 (2008).

PINPOINT
N.C. Gen. Stat. § 121-38(a) (2008).

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
(1979, c. 747, s. 5; 2008-165, s. 1.)

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