



CHAPTER 43
ARTICLE 5 - ADVERSE CLAIMS AND CORRECTIONS AFTER REGISTRATION

N.C.G.S. § 43-28.

Suit to enforce adverse claim; summons and notice necessary.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	s. 2402 — second act in the lineage	21 September 2026, 04:01 UTC	a37d9fbfec0e400d990b9b5a - 5137168fa01e914d36b7b400 - 3258ac0fe3d82a6a

Upon the institution of any action or proceeding to enforce such adverse claim, notice thereof shall be served upon the register of deeds, who shall enter upon the registry a memorandum that suit has been brought or proceeding instituted to determine the validity of such adverse claim; and summons or notice shall be served upon the holder or claimant of the registered title or certificate or other person against whom such adverse claim is alleged, as provided by law for the institution of suits or proceedings in the courts of this State.

If no notice of the institution of an action or proceeding to enforce an adverse claim be served upon the register of deeds and upon the holder of the registered title or certificate, or other person, as aforesaid, within seven months from the date of filing the statement of adverse claim, the register of deeds shall cancel upon the registry the adverse claim so filed and make a memorandum setting out that no notice of suit or proceeding to enforce the same had been served upon him within seven months as herein required, and that such adverse claim was therefore canceled; and thereafter no action or proceeding shall be begun or maintained to enforce such adverse claim in any of the courts of this State.

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.

1919	1920
TICK HEIGHT = ACTS IN THAT YEAR	DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1919	c. 236, s. 1	ENACTED
02	C.S.	s. 2402	RECODIFIED

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 43-28 (2026).

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
(1919, c. 236, s. 1; C.S., s. 2402.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

